



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION

SEP 16 2008

Douglas D. Christensen, Ph.D.
Commissioner of Education
Nebraska Department of Education
301 Centennial Mall South
P.O. Box 94987
Lincoln, Nebraska 68509-4987

Dear Dr. Christensen:

The Rehabilitation Services Administration (RSA) acknowledges your letter of June 9, 2008, transmitting the State Plan for the Title I Vocational Rehabilitation (VR) Services Program and Supplement for the Title VI-B Supported Employment (SE) Services Program in the form of a preprint of affirmative assurances and required attachments on behalf of the Nebraska Vocational Rehabilitation in compliance with Sections 101(a) and 625 of the *Rehabilitation Act of 1973, as amended* (the act).

The State Plan, in the form of a preprint of affirmative assurances and required attachments, along with the Certifications Regarding Lobbying for both the VR and SE programs, was reviewed to ensure conformity with statutory provisions of the act, implementing regulations and the administrative requirements of RSA. Based on this review, the State Plan is approved. In accordance with the approval of the State Plan materials, RSA is making available to Nebraska its FY 2009 Title I, Part B, and Title VI, Part B, grant awards.

If you or your staff have questions related to this review or the approval of the FY 2009 State Plan, please contact your state liaison, Regina Luster, at (202) 245-6309 or regina.luster@ed.gov.

400 MARYLAND AVE. S.W., WASHINGTON, DC 20202
www.ed.gov



Page 2 - Dr. Christensen

We appreciate your timely submission of this information and your continuing efforts to assist individuals with disabilities to achieve high quality employment outcomes.

Sincerely,

A handwritten signature in cursive script that reads "Edward Anthony".

Edward Anthony, Ph.D.
Delegated the authority to perform
The functions of Commissioner for the
Rehabilitation Services Administration

cc: Frank C. Lloyd, Assistant Commissioner
Regina Luster, State Liaison



REC'D SEP 24 2007



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION

Douglas D. Christensen, Ph.D.
Commissioner of Education
Nebraska Department of Education
301 Centennial Mall South
P.O. Box 94987
Lincoln, Nebraska 68509-4987

SEP 18 2007

COPY

Dear Dr. Christensen:

The Rehabilitation Services Administration (RSA) acknowledges your letter of May 23, 2007, transmitting the State Plan for the Title I Vocational Rehabilitation (VR) Services Program and Supplement for the Title VI-B Supported Employment (SE) Services Program in the form of a preprint of affirmative assurances and required attachments on behalf of Nebraska Vocational Rehabilitation, in compliance with Sections 101(a) and 625 of the Rehabilitation Act of 1973, as amended (the Act).

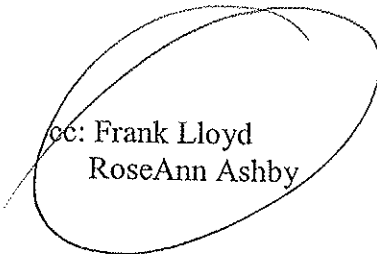
The State Plan in the form of a preprint of affirmative assurances and required attachments, along with the Certifications Regarding Lobbying for both the VR and SE programs, were reviewed to ensure conformity with statutory provisions of the Act, implementing regulations, and the administrative requirements of RSA. Based on this review, the State Plan is approved. In accordance with the approval of the State Plan materials, RSA is making available to Nebraska its FY 2008 Title I, Part B, and Title VI, Part B, grant awards.

If you or your staff have questions relative to this review or the approval of the FY 2008 State Plan, please contact your state liaison, RoseAnn Ashby at 202-245-7258 or roseann.ashby@ed.gov.

We appreciate your timely submission of this information and your continuing efforts to assist individuals with disabilities to achieve high quality employment outcomes.

Sincerely,

Edward Anthony, Ph.D.
Delegated the authority to perform
The functions of Commissioner for the
Rehabilitation Services Administration



cc: Frank Lloyd
RoseAnn Ashby



Vocational Rehabilitation

Nebraska Department of Education

Quality Employment SolutionsSM

June 9, 2008

United States Department of Education
Office of Special Education and Rehabilitative Services
Rehabilitation Services Administration
Attention: Pedro Romero
400 Maryland Avenue SW, PCP Room 5007
Washington, DC 20202-2800

Dear Mr. Romero:

Submitted with this letter is the FY 2009 State Plan PrePrint Section I and Attachments for the State Vocational Rehabilitation Services program under Title I, Part B and State Plan Supplement for the State Supported Employment Services Program under Title VI, Part B of the Rehabilitation Act of 1973:

Attachment 4.2(c): Summary of Input and Recommendations of the State Rehabilitation Council;
Responses of the Designated State Unit and Explanations for Rejection of Inputs or Recommendations
Attachment 4.8(b)(1): Cooperation with Agencies That Are Not in the Statewide Workforce Investment System and with Other Entities
Attachment 4.8(b)(2): Coordination with Education Officials
Attachment 4.10: Comprehensive System of Personnel Development
Attachment 4.11(b): Annual Estimates of Individuals to Be Served and Costs of Services
Attachment 4.11(c)(1): State's Goals and Priorities
Attachment 4.11(c)(3): Order of Selection
Attachment 4.11(c)(4): Goals and Plans for Distribution of Title VI, Part B Funds
Attachment 4.11(d): State's Strategies and Use of Title I Funds for Innovation and Expansion Activities
Attachment 4.11(e)(2): Evaluation and Report of Progress in Achieving Identified Goals and Priorities and Use of Title I Funds for Innovation and Expansion Activities

Also submitted with this letter are: (1) the Section 110, Basic Support Certification Regarding Lobbying and (2) the Title VI Supported Employment Certification Regarding Lobbying.

These State Plan materials were approved by the State Board of Education at its June 5, 2008 meeting. The State of Nebraska has discontinued its state review process. Consequently, approval by the State Board of Education is the final state action.

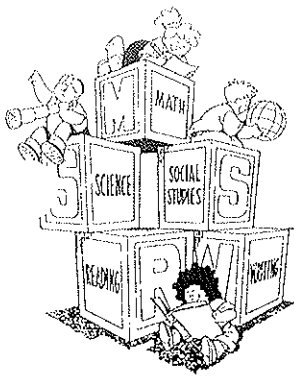
We request approval of these State Plan materials.

Sincerely,

Douglas D. Christensen, Ph.D.
Commissioner of Education

301 Centennial Mall South • PO Box 94987 • Lincoln, Nebraska 68509-4987
402.471.3644/V/TT • Toll Free 1.877.637.3422 V/TT (877 NE REHAB) • FAX 402.471.0788





NEBRASKA DEPARTMENT OF EDUCATION

Douglas D. Christensen, Commissioner

Polly Feis, Deputy Commissioner

301 Centennial Mall South ■ P.O. Box 94987 ■ Lincoln, Nebraska 68509-4987
Telephone (Voice/TDD): 402-471-2295 ■ Fax: 402-471-0117 ■ www.nde.state.ne.us

May 23, 2007

United States Department of Education

Attention: Pedro Romero

Mail Stop 2800, PCP Room 5007

7100 Old Landover Road

Landover, MD 20785-1605

Dear Mr. Romero:

Submitted with this letter is the FY 2008 State Plan and Attachments for the State Vocational Rehabilitation Services program under Title 1, Part B and State Plan Supplement for the State Supported Employment Services Program under Title VI, Part B of the Rehabilitation Act of 1973:

Attachment 4.2(c): Summary of Input and Recommendations of the State Rehabilitation Council; Responses of the Designated State Unit and Explanations for Rejection of Inputs or Recommendations

Attachment 4.8(b)(1): Cooperation with Agencies That Are Not in the Statewide Workforce Investment System and with Other Entities

Attachment 4.8(b)(2): Coordination with Education Officials

Attachment 4.8(b)(3): Cooperative Agreements with Private Nonprofit Vocational Rehabilitation Service Providers

Attachment 4.8(b)(4): Evidence of Collaboration Regarding Supported Employment Services and Extended Services

Attachment 4.10: Comprehensive System of Personnel Development

Attachment 4.11(a): Results of Comprehensive Statewide Assessment of the Rehabilitation Needs of Individuals with Disabilities and Need to Establish, Develop, or Improve Community Rehabilitation Programs

Attachment 4.11(b): Annual Estimates of Individuals to Be Served and Costs of Services

Attachment 4.11(c)(1): State's Goals and Priorities

Attachment 4.11(c)(3): Order of Selection

Attachment 4.11(c)(4): Goals and Plans for Distribution of Title VI, Part B Funds

Attachment 4.11(d): State's Strategies and Use of Title I Funds for Innovation and Expansion Activities

State Board of Education

Fred Meyer
President
District 6
1580 Highway 281
St. Paul, NE 68873

Kandy Imes
Vice President
District 7
1850 20th Street
Cering, NE 69341

Robert Evnen
District 1
301 South 13th Street
Suite 500
Lincoln, NE 68508

Ann Maclier
District 2
3811 North Post Road
Omaha, NE 68112

Jim Scheer
District 3
P.O. Box 16
Norfolk, NE 68702

Carole Woods Harris
District 4
5404 Ellison Avenue
Omaha, NE 68104

Patricia H. Timm
District 5
1020 North 21st Street
Beatrice, NE 68310

Joe Higgins
District 8
5067 South 107th Street
Omaha, NE 68127

an equal opportunity agency

Attachment 4.11(e)(2): Evaluation and Report of Progress in Achieving Identified Goals and Priorities and Use Of Title I Funds for Innovation and Expansion Activities
Attachment 6.3: Quality, Scope, and Extent of Supported Employment Services

Also submitted with this letter are: (1) the Title I Basic State Grant Lobbying Certification and (2) the Title VI, Part B Supported Employment Basic State Grant Supplement Lobbying Certification.

These State Plan materials were approved by the State Board of Education at its June 6, 2007 meeting. The State of Nebraska has discontinued its state review process. Consequently, approval by the State Board of Education is the final state action.

We request approval of these State Plan materials.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Christensen", with a long horizontal flourish extending to the right.

Douglas D. Christensen, Ph.D.
Commissioner of Education

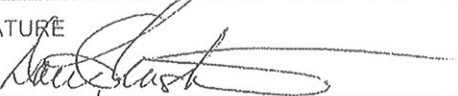
CERTIFICATION REGARDING LOBBYING

Applicants must review the requirements for certification regarding lobbying included in the regulations cited below before completing this form. Applicants must sign this form to comply with the certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying." This certification is a material representation of fact upon which the Department of Education relies when it makes a grant or enters into a cooperative agreement.

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a Federal contract, grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts under grants and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certification.

NAME OF APPLICANT	PR/AWARD NUMBER AND / OR PROJECT NAME
Nebraska Department of Education	Section 110, Basic Support
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Douglas D. Christensen, Ph.D. Commissioner of Education	
SIGNATURE	DATE
	6/6/2008

ED 80-0013

06/04




CERTIFICATION REGARDING LOBBYING

Applicants must review the requirements for certification regarding lobbying included in the regulations cited below before completing this form. Applicants must sign this form to comply with the certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying." This certification is a material representation of fact upon which the Department of Education relies when it makes a grant or enters into a cooperative agreement.

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a Federal contract, grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts under grants and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certification.

NAME OF APPLICANT	PR/AWARD NUMBER AND / OR PROJECT NAME
Nebraska Department of Education	Title VI Supported Employment
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Douglas D. Christensen, Ph.D. Commissioner of Education	
SIGNATURE	DATE
	6/6/2008

ED 80-0013

06/04



Nebraska Vocational Rehabilitation Monitoring Goals for FY 2008

Goals	Strategies	Evaluation
<p>1. Transition Services Expand and enhance the transition program for youth beginning at age 14 using shared resources and a coordinated planning process to help students be engaged in their education and establish their post high school vision for education and employment.</p> <p>1.1 Develop a system for measuring the success of students in the Nebraska Vocational Rehabilitation program through the following measures.</p> <ul style="list-style-type: none"> (a) Graduation Rate (b) Employment Rate (c) Postsecondary Education Rate (d) Transfer into Employment Program Rate 	<p>1.1A Explore how data can be collected from the Nebraska Department of Education.</p> <p>1.1B Ensure that measurement data can be collected and retrieved from QUEST.</p>	<p>1.1 Did Nebraska Vocational Rehabilitation develop a system for collecting and reporting the measurement data by September 30, 2008?</p>
<p>2. Employment Services Increase quality job opportunities for persons with disabilities through partnerships with businesses offering a wide range of positions, a living wage, benefits, and career advancement.</p> <p>2.1 Create a minimum of 30 employer scholarships statewide for transition students with a minimum of 14 employers offering scholarships to transition students.</p> <p>2.2 Establish long-term relationships through employer accounts with a minimum of (fill in number) targeted employers providing employment with quality wages and benefits.</p>	<p>2.1A Develop relationships with employers who have the capacity to establish scholarships for transition students.</p> <p>2.1B Develop a system for tracking the total number of employers offering employment scholarships, the total number of scholarships offered, and the total number of students with a scholarship who achieve an employment outcome.</p> <p>2.2A Determine criteria to be used for targeting employers who offer quality wages and benefits.</p> <p>2.2B Develop relationships with targeted employers meeting the established criteria.</p> <p>2.2C Develop a system for tracking outcomes for consumers employed by targeted employers.</p>	<p>2.1 Did Nebraska Vocational Rehabilitation develop 30 or more employer scholarships with at least 14 employers by September 30, 2008?</p> <p>2.2.1 Did Nebraska Vocational Rehabilitation develop 14 or more accounts with targeted employers.</p> <p>2.2.2 Were the outcomes for consumers with targeted employers better than the outcomes of consumers with non-targeted employers in terms of wages and benefits?</p>

<p>3. Consumer Satisfaction Create an effective system for assessing consumer satisfaction during and following a consumer's program of rehabilitation with the objective of using the consumer feedback to make enhancements to the VR program.</p> <p>3.1 Develop (in consultation with the State Rehabilitation Council) methods for assessing consumer satisfaction while consumers are in the VR process.</p>	<p>3.1A Develop and pilot a consumer satisfaction survey to be completed by the consumer following the Employment Discussion, and implement the survey Statewide.</p> <p>3.1B Expand the consumer satisfaction survey to one or more other aspects of the VR process.</p>	<p>3.1A Did Nebraska Vocational Rehabilitation implement a statewide consumer satisfaction survey following the Employment Discussion by September 30, 2008?</p> <p>3.1B Did Nebraska Vocational Rehabilitation expand the survey approach to one or more other aspects of the VR process by September 30, 2008?</p>
<p>4. Employment Outcomes Improve the effectiveness of the VR program in assisting individuals with disabilities to achieve quality employment</p> <p>4.1 Identify and implement strategies and processes to achieve a rehabilitation rate at or above 65%.</p>	<p>4.1A Conduct team case reviews during FY 2008 on unsuccessful cases in order to identify consumer planning and readiness factors and agency processes that contribute to unsuccessful outcomes.</p> <p>4.1B Explore the feasibility of surveying unsuccessful consumers to identify consumer planning and readiness factors and agency processes that contribute to unsuccessful outcomes.</p>	<p>4.1.1 Did Nebraska Vocational Rehabilitation identify and address any common consumer planning and readiness factors and agency processes?</p> <p>4.1.2 Did Nebraska Vocational Rehabilitation make progress toward or achieve a rehabilitation rate of 65% or higher in FY 2008?</p>
<p>5. Employment Warranty® Improve our system for gathering and evaluating data on consumer employment at 90 days, 180 days, and 1-year following the employment outcome.</p> <p>5.1 Establish a process to monitor the Employment Warranty program statewide.</p>	<p>5.1A Develop in QUEST a system to identify employment data elements for collection and measurement to evaluate the long-term employment outcomes of consumers.</p> <p>5.1B Recruit and train individuals with disabilities to monitor consumers in the Employment Warranty program.</p>	<p>5.1 Did Vocational Rehabilitation implement a statewide Employment Warranty monitoring program by September 30, 2008?</p>

**Attachment 4.2(c): Summary of Input and Recommendations of the State
Rehabilitation Council; Responses of the Designated State Unit and
Explanations for Rejection of Inputs or Recommendations**

The following summarizes the State Rehabilitation Council's (SRC) input, recommendations and collaboration with Nebraska Vocational Rehabilitation.

SRC Input

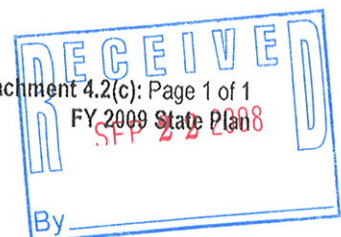
- I. Throughout 2008, the SRC provided input around the agency goals for the 2009 State Plan. In late summer 2008, the SRC will be provided information on the activities and strategies the 13 teams will be undertaking in 2009 to accomplish those goals.
- II. Input was provided to VR on the development of three online consumer satisfaction surveys. SRC made the original recommendation to develop consumer satisfaction surveys. The surveys are completed by VR consumers after the initial counseling session, after the IPE is agreed to, and after the Job Search Strategy is developed. The initial counseling survey pilot was completed and implemented statewide. As of the writing of this attachment, the two other surveys were still being piloted. The pilot results will be shared with the SRC for review and comment.

SRC Recommendations

- I. As a result of a SRC survey of Nebraska high schools, the following six recommendations were made by the SRC. The agency has agreed with all of the recommendations and has developed strategies to address the recommendations.
 1. Staff turnover and assignment changes impact the continuity of services for schools and students. Efforts to minimize the impact of staff changes should be identified and considered for implementation.
 2. VR staff should make every effort to establish and maintain a set schedule of visits and activities with each school they are assigned to.
 3. Parental involvement is critical to the success of students during the transition process. Strategies should be developed to improve outreach efforts to parents in order to gain greater support for the efforts of the school and VR.
 4. Survey results indicate many schools do not refer students with a 504 Plan or other students with physical disabilities. Efforts should be developed to increase the number of 504/physical disability referrals to VR.
 5. Coordination of planning and communication among partners is critical to the transition process. School staff value VR's attendance and participation in the IEP process, but acknowledge attendance is often not feasible or appropriate. Alternative methods of IEP participation of input should be explored to include electronic input.
 6. Although school staff value the wide range of services VR can provide, primary efforts should focus on employment and connecting students to employers.
- II. The SRC would like to present an employer of the year award. The agency's Employer Services Committee is reviewing this recommendation and will provide specific recommendations on the criteria around when and how this award would be made by the SRC.
- III. The SRC recommended VR maintain the current rule to purchase a vehicle only when needed for self-employment. The SRC also recommended an exception be available for other employment outcomes. The agency agreed and incorporated this recommendation into State Rule 72.

SRC & VR Collaboration

- I. The agency assisted the SRC to amend their operating procedures to comply with the Nebraska Open Meetings Law.
- II. The SRC sponsored a breakfast April 25, 2008 for State Senators to educate them about the SRC role and VR services. The agency assisted SRC in arranging this legislative breakfast and printed a Fact Sheet for the Senators.



Attachment 4.8(b)(1): Cooperation with Agencies That Are Not in the Statewide Workforce Investment System and with Other Entities

Nebraska Vocational Rehabilitation seeks to work cooperatively with numerous other state and local agencies and programs. Collaborative efforts are manifested through coordinated committees throughout the state with VR state office and local staff actively participating in the committees and community plans. Examples of the committees Nebraska Vocational Rehabilitation serves on includes, but are not limited to, Developmental Disabilities Council, Mental Health Planning and Evaluation Council, Ticket to Work Infrastructure Committee, TBI Council, Local Community Resource Committees, Youth Employment Solutions Committees, Veterans Administration Consumer Council, local Chambers of Commerce, etc.

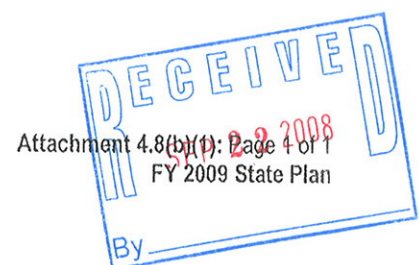
Nebraska Vocational Rehabilitation maintains interagency agreements with NE Health and Human Services, Nebraska Commission for the Deaf and Hard of Hearing, Nebraska Commission for the Blind and Visually Impaired, and the Veterans Administration-Vocational Rehabilitation and Employment Program for purposes of providing an understanding and coordinated effort to achieve employment goals for persons with disabilities.

Written agreements are maintained with Liberty Centre Services Employment Program, Cirrus House, Inc., Central NE Goodwill, Community Alliance, Office of Juvenile Services, Douglas County Correctional Services, State Parole Office, Developmental Disabilities of Nebraska, Vital Services, Region V Services, Community Alternatives, Eastern NE Community Office of Retardation, Assistive Technology Partnership, and Black Hills Workshop. These written agreements coordinate efforts and services to assist persons with disabilities to achieve employment success. These agencies represent various locations throughout the state and serve individuals experiencing a variety of disabilities such as severe and persistent mental illness, developmental disability, brain injury, learning disability, and those experiencing multiple disabilities.

To maximize limited resources and assist individuals to access other programs which can provide needed services essential to individuals achieving employment, Vocational Rehabilitation works cooperatively with and utilizes numerous services and facilities within the state. These services and facilities include Centers for Independent Living, the Parent Information and Training Center, Apprenticeship Program, schools, Educational Service Units and employers.

Vocational Rehabilitation works cooperatively with and utilizes Rural Economic Area Partnerships, and other programs carried out by the Under Secretary for Rural Development of the United States Department of Agriculture, when these programs and resources are available to local communities for economic development, and to the extent such cooperation and utilization is permissible under §101(a)(4) of the Rehabilitation Act of 1973, as amended.

The State of Nebraska does not have a state use contracting program.



Attachment 4.8(b)(2): Coordination with Education Officials

Coordination with Office of Special Populations, Nebraska Department of Education

Vocational Rehabilitation and the Nebraska Department of Education-Office of Special Populations co-fund a Transition Program Director position. In addition, Vocational Rehabilitation and the Office of Special Populations have an interagency agreement to facilitate the transition of students who are receiving special education services from the provision of a free appropriate public education under the responsibility of an educational agency to the provision of vocational rehabilitation services under the responsibility of Vocational Rehabilitation. This agreement provides for —

- Consultation and technical assistance to assist local educational agencies and Educational Service Units in planning for the transition of students with disabilities from school to post-school activities, including employment, post-secondary education, vocational rehabilitation services, or services from an appropriate adult service agency.
- Transition planning by personnel of Vocational Rehabilitation and local school districts and Educational Service Units to facilitate the development and completion of individualized educational programs providing for the transition of students with disabilities from school to post-school activities.
- Identification of local school districts roles and responsibilities for the provision of a free appropriate public education to students with disabilities to the point of exit from school, including the planning and provision of transition services, and Vocational Rehabilitation's roles and responsibilities for providing consultation and technical assistance, upon request, to local school districts, and the provision of other assistance in planning for the transition of students with disabilities during their school years to the extent determined by cooperative agreements with local school districts.
- Identification of the local school district as the lead agency responsible for providing transition services and responsible qualified personnel to students with disabilities to the point of exit from school, and Vocational Rehabilitation as the lead agency responsible for providing services and qualified personnel after the point of exit to those students meeting Vocational Rehabilitation eligibility and order of selection requirements.
- Identification of the local school district as having the financial responsibility for providing transition services to students with disabilities to the point of exit from school, and Vocational Rehabilitation as the financial responsibility for providing services and qualified personnel after the point of exit to those students meeting Vocational Rehabilitation eligibility and order of selection requirements. Any student eligible for the VR program will have their Individualized Plan of Employment completed before exiting school. Other financial responsibilities, including joint responsibilities, may be specified in cooperative agreements between Vocational Rehabilitation and local school districts or Educational Service Units.
- Procedures for enhancing outreach to and identification of students with disabilities in need of transition services, including those students with disabilities who qualify for assistance under §504 of the Rehabilitation Act, but not a free appropriate public education under the Individuals with Disabilities Education Act.

Vocational Rehabilitation serves on the Nebraska Department of Education's Special Education Advisory Council's Deaf and Hard of Hearing Standing Committee. This committee meets twice a year to share information, identify issues, and coordinate secondary education and transition services for deaf and hard of hearing students.

Coordination with local school districts and Educational Service Units

As a result of Nebraska's strong tradition of local control, over 250 local school districts offer secondary education. Most districts are small, enrolling fewer than 100 secondary students, and having less than 10 students with disabilities.

Vocational Rehabilitation has a two prong directed outreach effort to secondary school districts —

- Outreach and identification efforts directed to special education, vocational education, guidance counseling, school nursing, and school personnel having knowledge of students with disabilities, including those not receiving special education services.
- Development of a Transition Partnership Planning process for schools, Educational Service Units, and VR at the local level. This process, and the Planning Form, is used to promote a coordinated effort between the local school, ESU, and the local VR Office. The Planning Form identifies the nature and scope of services the local VR Office will provide in coordination with the efforts of the school and/or ESU. The process addresses the schedule of events and activities, expected outcomes, and a process to evaluate the effectiveness of the partnership on an annual basis.



Attachment 4.8(b)(3): Cooperative Agreements with Private Nonprofit Vocational Rehabilitation Service Providers

Vocational Rehabilitation has written procedures for establishing written agreements with service providers, including private nonprofit vocational rehabilitation service providers. These procedures emphasize the role of local VR offices in identifying needs for specific vocational rehabilitation services responsive to the needs of persons with significant disabilities in their areas. They also emphasize the role of local VR and community rehabilitation staff in monitoring the agreements, including usage and effectiveness of services.

Background screening is required for all individual providers with written agreements who provide job coaching, independent living skills exploration and training, supported employment, and self-employment consultation. Providers who employ individuals who will provide services requiring background screening must provide written assurances that persons employed by them to provide direct services have not been convicted of a felony or misdemeanor involving neglect and/or abuse of a child or vulnerable adult before the written agreement is approved.

Currently, Vocational Rehabilitation does not have any formal Cooperative Agreements that utilize state and local dollars for matching federal funds.

Attachment 4.8(b)(4): Evidence of Collaboration Regarding Supported Employment Services and Extended Services

On the state level, Vocational Rehabilitation works collaboratively with the Health and Human Services Divisions of Developmental Disabilities Services and Behavioral Health Services to coordinate the system of service delivery for supported employment services. While the funding models for supported employment services in these two systems are different, both models contain performance-based provisions.

At the local level, Vocational Rehabilitation enters into written agreements for the provision of supported employment services with financial assistance provided by Vocational Rehabilitation. These agreements are used with public or private non-profit community rehabilitation programs and private for-profit entities providing supported employment services. Vocational Rehabilitation maintains written procedures for entering into these agreements.

Each agreement describes the time-limited services that will be provided to eligible persons with the most significant disabilities using funds from Vocational Rehabilitation prior to the transition to extended services. These services may include any of those described in Attachment 6.3.

Cooperating organizations must assure the availability of the minimum extended services of (1) twice monthly monitoring at the work site of each individual to assess job stability and (2) based on that assessment, coordination or provision of specific services needed to maintain job stability. If off-site monitoring is determined to be appropriate, then each month, there must be two contacts with the employed person and, if the person has disclosed their impairment to their employer, one contact with the employer each month. These mandatory extended monitoring services apply to all agreements.

Attachment 4.10 Comprehensive System of Personnel Development

This attachment describes the comprehensive system of personnel development. The State Rehabilitation Council has had an opportunity to review and comment on the development of plans, policies, and procedures necessary to meet the requirements of 34 CFR 361.18(b), (c), (d), and (f).

Data systems on personnel and personnel development

Vocational Rehabilitation maintains a system for collecting and analyzing data on qualified personnel needs which includes: the number of personnel currently employed by Vocational Rehabilitation, by personnel category; the number of positions currently available to Vocational Rehabilitation, by personnel category; and projections of the number of personnel who will be needed in 5 years, by personnel category. The table summarizes this information for direct service personnel as of March 1, 2008:

	Rehabilitation Specialists	Service Specialists	Associates
Direct Service Personnel Employed	64.5	48	40
Personnel to Consumer Ratios	1:88	1:118	1:140
Projected Staffing Requirements ¹	62	50.5	40
Projected Replacement Needs (5 year total)	23	27	20

¹ The projected staffing requirement assumes that over a 3-year period specialist staffing will move toward a 55:45 split between rehabilitation specialists and service specialists. The projected replacement needs assume that as 14 rehabilitation specialist positions become vacant due to resignations and retirements over the next 3 years 6 will be replaced by service specialists.

There are no institutions of higher education in Nebraska receiving funds under Title III of the Rehabilitation Act to prepare vocational rehabilitation professionals in the disciplines designated in the Act (29 USC 771(b)(1)(B)). Consequently, there is no personnel development data system.

Plan for recruitment, preparation, and retention of qualified personnel

There is a projected need to replace an average of 14 VR service delivery staff annually due to resignations and retirements over the next 5 years. We anticipate no new hires through growth.

Recruitment

Qualified rehabilitation and service specialists (i.e., those who meet academic degree standards) will be actively recruited through continuing relationships with rehabilitation education programs in other states. The ability of Vocational Rehabilitation to recruit qualified specialists is grossly impaired by the absence of (1) a federal traineeship support for a long term rehabilitation training program in Nebraska, (2) the lack of an active state chapter of the National Rehabilitation Association or any of its divisions, and (3) the totally inadequate regional supply of qualified applicants with an obligation to the public vocational rehabilitation program.

Recruitment of Personnel from Minority Backgrounds and Individuals with Disabilities

There will be intense recruitment of qualified personnel with disabilities and those from racial and ethnic minority. In addition, an increased salary differential is offered to individuals who are bilingual or fluent in American Sign Language (ASL).

Preparation

New Vocational Rehabilitation staff receive intensive structured training in basic vocational rehabilitation values, principles, and practices during their initial probationary period. Participation is funded in part through the In-Service Training Grant.

Retention

All staff will be afforded the opportunity for 20 contact hours annually of continuing education in vocational rehabilitation knowledge, skills, and abilities to enhance job performance and improve job retention. This conforms to the annual contact hour requirement for the state's highest applicable standard. Participation is funded in part through the In-Service Training Grant.

The Director and Assistant Director conduct video conversations with new staff during their first month, fourth month, eighth month and thirteenth month on the job. The video conversations are an opportunity to —

- become acquainted with each new staff member and his/her background,



- provide an opportunity for a new staff member to ask questions and provide feedback,
- assess how new staff member is progressing in his/her training,
- determine if a new staff member is finding his/her job to be what they expected and consistent with how the job was presented, and
- demonstrate the agency's interest in his/her success.

The Director and Assistant Director and VR HR conduct face-to-face, one-on-one interviews with every staff member once a year. This is an opportunity for all staff to provide personal feedback on specific policies and procedures and to discuss their role on their team and in the agency.

The Assistant Director and the VR HR Administrator conduct exit interviews with all staff leaving the agency. The goal of the interviews is to assess why people leave, look for trends, and to learn if there was anything the agency could have done to retain them.

Personnel standards

Vocational Rehabilitation employs staff in 13 self-directed teams throughout the state to provide direct services and supports (including financial assistance to help pay for the cost of services) responsive to the unique needs and circumstances of each person with significant disabilities served. During FY 2003, Vocational Rehabilitation implemented the new "Service Specialist" personnel classification. This position was created as the result of a Nebraska Department of Education position classification study based on job analyses of current job incumbents. The study contractors found that the direct service work performed by Vocational Rehabilitation staff fell into 3 distinct classes of personnel, and recommended that Vocational Rehabilitation create a third position, intermediate between associates and rehabilitation specialists and made of some duties currently performed by them.

Associate position

Associates provide direct support to teams serving persons with disabilities seeking employment. Their responsibilities include: monitoring persons with disabilities engaged in agreed on vocational rehabilitation plans; arranging and coordinating team activities; arranging and coordinating transportation; maintaining individual service records; and arranging financial assistance necessary to obtain agreed on goods and services from community providers.

Associate academic degree standards

There are no national or state-approved or -recognized standards applicable to the associate position. The highest entry-level academic degree required for comparable work in State personnel requirements is the high school diploma. All currently employed associates meet or exceed this standard.

Service specialist position

Service specialists provide direct support to persons with disabilities seeking employment. Much of their work involves providing services to groups of consumers. Their responsibilities include: conducting orientation to Social Security benefits analyses; providing personal management training, social skills training, job placement assistance, job seeking skills training and other instruction of persons with disabilities using standardized curricula and instructional methods; and providing information about the purpose, nature, and scope of vocational rehabilitation services to persons with disabilities, service providers, and the general public.

Service specialist academic degree standards

There are no national or state-approved or -recognized standards applicable to the service specialist. The highest entry-level academic degree required for comparable work in State personnel requirements is the baccalaureate degree. All currently employed service specialists meet this standard.

Rehabilitation specialist position

Rehabilitation specialists make determinations and provide specialized direct services to persons with disabilities pursuing employment goals. Their responsibilities include: eligibility, IPE and amendment approval, IPE progress, and employment outcome determinations; community assessment; career counseling, disability awareness counseling, personal adjustment counseling, rehabilitation engineering, independent living skill training, personal management training, social skills training, job placement assistance, and job retention assistance. These activities generally require independent complex decision-making and problem solving based on extensive knowledge of disability, human behavior, the world of work, and the community.



Rehabilitation specialist academic degree standards

The highest entry level academic degree standard in Nebraska applicable to the discipline of rehabilitation counseling is a master's degree in counseling or a closely related field. This degree is required for certification as a Professional Counselor under Nebraska's Uniform Licensing Act (Neb. Rev. Stat. §71-1,325). Other state agencies typically require the bachelor's degree for work comparable to that of specialists. In 1983, after 2 years of use as an informal standard, we formally incorporated the master's in counseling or a closely related field academic degree standard into the Nebraska Department of Education personnel system hiring requirements for rehabilitation specialists. Thus, Vocational Rehabilitation's hiring standard exceeds that of other state agencies and equals the highest standard in the state. For 26 years, all specialists hired by Vocational Rehabilitation have possessed the master's degree in counseling or a closely related field.

Need for retraining plan

Since the personnel standards have equaled or exceeded the highest applicable standards in Nebraska for 26 years, no steps are necessary to change hiring standards or retrain personnel to meet the existing standard.

Communication with diverse populations

Vocational Rehabilitation, to the maximum extent possible, recruits and hires qualified personnel who are able to communicate in the native languages of applicants and recipients with limited English speaking ability. An increased salary differential is offered to individuals who are bilingual or fluent in ASL. Interpreter services for persons with limited English speaking ability are obtained from agencies, ethnic organizations and advocacy groups, or individuals (family members, friends, coworkers, volunteers). The AT&T Language Line is used as a backup service for walk-ins or crisis situations where no interpreter is available and there is an immediate need to communicate with person with limited English speaking ability. Vocational Rehabilitation employs staff with sign language skills in areas with significant concentrations of persons with hearing impairments who communicate in sign language, and obtains interpreter services for the hearing impaired from persons meeting the Nebraska Department of Education's written interpreter qualification standards and policies in other areas. These standards now require the department and agency to use interpreters licensed by the State of Nebraska.

Personnel development

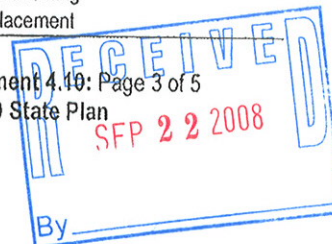
Each team assesses the current knowledge, skill, and ability of the team and its members, and identifies the personnel development activities necessary to enable the team and its members to achieve their strategic and performance goals. These team level assessments are analyzed and integrated with statewide training needs identified by specialty area Program Directors, training needed to implement planned innovation and expansion activities, and needs indicated by objective program performance measures. The following summarizes significant staff development needs identified from these assessments

Analysis of the assessments indicates the need for a long-term staff development strategy. In the absence of a long-term strategy, staff development is a series of one-time responses to immediate needs. The impact of this training on organizational functioning deteriorates over time as a result of turnover. For example, even though 100% of staff can be trained at one point in time, with normal turnover, only about 50% of the trained staff will remain 5 years later. Also, in the absence of a long-term strategy identifying the staff development needs of teams and types of specialized knowledges, staff development focuses on individuals and does not respond to the knowledge and performance needs of teams and the organization as a whole. As a result of these problems, there are persistent gaps in critical staff knowledge and skill. A long term staff development strategy is needed to ensure the ongoing renewal and updating of the entire organizational knowledge and skill base to ensure the organization, its teams, and its staff promptly incorporate into practice new knowledge or responses to emerging needs in the consumer population, service delivery processes, or specific team services.

For staff development purposes, the organizational knowledge and skill base is made up of the three major domains and sub-domains shown in Table 1. The Disabilities and Service Delivery Processes domains are critical organizational knowledges and skills, shared by all team members. To effectively communicate among themselves, team members must possess knowledge of consumer disabilities and the way in which these

Table 1. Organizational Knowledge and Skill Domains and Sub-domains

Disabilities (Team based)	Service Delivery Processes (Team based)	Team Services (Position based)
Musculoskeletal	Induction	Assessment
Central nervous system	Goal planning	Counseling
Spinal cord disorders	Work-first (place & train)	Placement



Psychoses	Employment preparation (train & place)	Rehabilitation technology
Anxiety & personality disorders	Transition into work	Independent living
Cognitive disabilities	Job maintenance & career advancement	Transition
Endocrine & immune system disorders	Partnerships	
Circulatory & respiratory	Support processes	
Amputations		
Hearing impairments		
Traumatic Brain Injury		
Learning Disabilities		

impact upon the consumer, employment, and the provision of services. Every team member must possess knowledge of the organization's service delivery processes and their role and responsibilities in connection with these processes. Consequently, Disabilities and Service Delivery Processes knowledge is team based, possessed by all members of each team. Finally, each team member must possess the knowledge and skill to provide the specific services for which they are responsible. This knowledge is position based, possessed by all staff responsible for providing each service.

Personnel development needs

1. **New staff training.** There is a need for Vocational Rehabilitation to replace an average of 14 staff annually due to resignations and retirements over the next 3 years. No new hires through growth are anticipated. Nebraska does not have a CORE accredited, RSA assisted, graduate level rehabilitation education program preparing persons for practice in a rehabilitation discipline, while in-migration of qualified personnel to fill vacant positions averages only about 1 per year. Consequently, newly hired specialists, as well as all associates, must be provided with intensive initial post-hire training to assure they possess critical performance related vocational rehabilitation knowledge and skills.
2. **Training in functional aspects of physical and mental impairments.** There is a need for on-going training of teams in the functional aspects of physical and mental impairments. Past disability related training has been uneven in frequency and staff coverage, with the result that teams lack the consistent knowledge base necessary for the effective planning and delivery of services. The nature and scope of this training will be described in more detail in the next section. Disorders of the musculoskeletal and nervous systems should be the initial focus of training, since they cause about 66% of all significant work disability and we anticipate the numbers of persons disabled by these disorders seeking our services will increase with implementation of the Ticket to Work and Work Incentives Improvement Act.
3. **Training in service delivery processes.** There is a need for on-going training of teams in our core service delivery processes. We have fundamentally changed many core processes to better achieve our Quality Employment Solutions goal. During FY 2003, we began the rollout of completely revamped front-end processes (i.e., outreach, orientation, career assessment, career counseling, and goal planning). This included a reformulation of the IPE development process and forms to make them user friendly. Teams require intensive training and continuing follow-up to implement these changed processes, methods, and procedures. Detailed examination and redefinition of our service monitoring process is underway. Training has continued in FY 2007 for the front-end process. Other portions of our overall service delivery process will be systematically examined and redefined during the plan period. As each activity is completed, team training will be required to enable staff to implement the changes. Since service delivery processes are influenced by legislation and current research, service delivery process training incorporates relevant requirements of the 1998 Rehabilitation Act Amendments (including informed choice, use of rehabilitation technology, and servicing culturally diverse populations), as well as evidence based processes and practices identified in current research, and relevant portions of the Workforce Investment Act of 1998. Nebraska began implementing the Ticket to Work and Work Incentives Improvement Act of 1999 in November 2003. We are in the process of identifying impacts on our service delivery and information system processes, and team training in the impact of this act on our service delivery processes will be required.
4. **Training in team services.** There is a need for on going training to enhance the ability of VR rehabilitation specialists, service specialists, and associates to provide direct services and supports. Specific types of team services provided directly by our staff include: community assessment; career counseling, disability awareness counseling, personal adjustment counseling, rehabilitation engineering



(including assistive technology), independent living skill training, personal management training, social skills training, job placement assistance, and job retention assistance. Also included are: Social Security benefits analyses; job seeking skills training and other instruction of persons with disabilities; monitoring persons with disabilities engaged in agreed on rehabilitation plans; providing information; arranging, coordinating, and scheduling team activities; arranging, coordinating, scheduling, and providing transportation; developing, preparing, and maintaining individual service records; and arranging financial assistance to procure agreed on goods and services. Staff responsible for providing specific services and supports need continuing training to maintain their competence, and to acquire the knowledge and skill needed to implement new best practices and procedures.

5. **Individual training.** Training needs assessments show a broad and diverse range of training needs related to individual development and performance improvement. These individual needs include leadership development and capacity building.

System of personnel development

The comprehensive personnel development system ensures that all personnel receive appropriate and adequate training related to their ability to provide vocational rehabilitation services leading to quality employment outcomes for persons with significant disabilities. This system is based on our needs assessments and is made up of—

1. New staff training to an estimated 14 new staff annually. This responds to the identified need to develop fundamental vocational rehabilitation knowledge and skill related to job performance in newly hired staff.
2. Workshops, distance learning, and continuing education activities for Vocational Rehabilitation teams and staff in the areas of functional aspects of disability, service delivery process, and team services. This responds to the identified needs for in-service training in these areas. It also provides opportunities for staff certified under Nebraska's Uniform Licensing Act to obtain continuing education contact hours for certification maintenance. (see Neb. Rev. Stat. §71-1,269).
3. Workshops, distance learning, and continuing education activities for individual Vocational Rehabilitation staff in identified areas of individual development and performance improvement. This responds to individual needs, as well as organizational needs of succession planning, leadership development, and capacity building.
4. Acquisition and dissemination of significant knowledge from research and other sources. These activities ensure that staff have access to new knowledge and learning in the field of vocational rehabilitation.

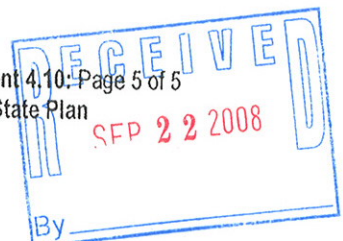
The system of staff development must provide for the ongoing renewal and updating of the entire organizational knowledge and skill base, requiring a long term training schedule.

Coordination with the in-service training grant

In-service training grant funds are used to support, in part, the costs of instructional materials, training consultant expenses, and the lodging and per diem expenses of trainees.

Coordination of personnel development with personnel development under the Individuals with Disabilities Education Act

Vocational Rehabilitation coordinates with the Comprehensive System of Personnel Development under the Individuals with Disabilities Education Act (IDEA) by: (1) exchanging needs assessment findings in areas or topics of mutual concern, (2) exchanging schedules of training and personnel development activities, and (3) joint development of training programs of mutual concern and priority, and joint funding of trainer costs for conducting joint training, when appropriate.



Attachment 4.11(a): Results of Comprehensive Statewide Assessment of the Rehabilitation Needs of Individuals with Disabilities and Need to Establish, Develop, or Improve Community Rehabilitation Programs

The Comprehensive Statewide Assessment was conducted between October 1, 2005 and May 31, 2006. The development of the Comprehensive Statewide Assessment was completed in conjunction with the State Rehabilitation Council and the data used was gathered from information through the Developmental Disabilities Council, the Ticket to Work Infrastructure Grant, the Mental Health Planning and Evaluation Council, the Traumatic Brain Injury State Council, the Client Assistance Program and through the regional meetings that involved employers and consumers concerning employment.

Adults with significant work disabilities

68,000 or 6.4% of the 1,068,000 working age civilian non-institutionalized, men & women in Nebraska (ages 18-64) are estimated to have a work limitation as reported in the Current Population Survey of 2004. The definition of work limitation for that survey are those individuals who reported having a "health problem or disability which prevents them from working or which limits the kind or amount of work they can do." (1)

The adult population of individuals with a disability continues to be almost evenly split between those with the most significant disabilities (those whose impairments prevent work (49%)) and those with a significant disabilities (those whose impairments limit the nature and duration of their work activity). 51,674 Nebraskans receive Social Security and/or Supplemental Security Income disability payments.(2)

The individuals most in need of supported employment services are individuals with significant mental retardation, severe and persistent mental illness and traumatic brain injury.

Disability rates among the racial and ethnic minority population in Nebraska varies by race/ethnicity. For all racial and ethnic minorities except Asian, there is a higher percentage represented in the population with a disability versus the population without a disability. (3)

Percent of working age population 2004	Asian	Black	Native American	White	Other / Multiple Race
With a disability	.8%	6%	1.9%	84.7%	6.6%
Without a disability	1.8%	3.3%	.3%	89.5%	5%

62% of the individuals, ages 16 – 64, reporting one or more disabilities had a physical disability. 19.6% of the individuals, ages 16 – 64, reporting one or more disabilities had a mental disability. (4)

The poverty rate among working age people with disabilities in Nebraska in 2004 was 27.4 % compared to individuals with no disability with a poverty rate of 7.7 %. The average median household income among men and women without a work limitation in Nebraska was \$57,100 while the average median household income among men and women with a work limitation was \$28,100. (5)

Students with disabilities

14,059 students with disabilities, ages 14 – 21, are enrolled in Nebraska's secondary schools. The three disabling conditions that account for 79% of the disabling conditions among Nebraska secondary students are learning disabilities (48%), mental retardation (19) and other health impaired (12%). (6)

2004 Exit Data for Students with a Disability

Category	Number	Percentage
Diploma or Certificate	1536	50.47%
Confirmed Dropouts	365	12.00%
Moved, unknown if continuing or dropout	1142	37.53%
Total Exits	3043	100%

Among the confirmed dropouts, 22% were students with an emotional disability and 10% were students with a learning disability.

Among the students who moved and continuing in school or dropping out was unconfirmed, 73% were students with a emotional disability and 40% were students with a learning disability.

Age at Confirmed Dropout ⁽⁶⁾

Age	Number
14	3
15	7
16	54
17	106
18	97
19	80
20	15
21	3

(1) Houtenville, Andrew J. 2006. "Disability Statistics in the United States." Ithaca, NY: Cornell University Rehabilitation Research and Training Center on Disability Demographics and Statistics (StatsRRTC), www.disabilitystatistics.org. Posted April 4, 2005. Accessed May 02, 2006.

(2) Social Security Administration Annual Statistical Supplement, 2005 (released February, 2006).

(3) Rehabilitation Research and Training Center on Disability Demographics and Statistics. (2005). 2004 Disability Status Reports. Ithaca, NY: Cornell University.

(4) Census 2000 PHC-T-32. Disability Status of the Civilian Non-institutionalized Population by Sex and Selected Characteristics for Nebraska: 2000

(5) Rehabilitation Research and Training Center on Disability Demographics and Statistics. (2005). 2004 Disability Status Reports. Ithaca, NY: Cornell University.

(6) Nebraska Department of Education Special Education Student Information System (2004).

Career opportunities for persons with significant disabilities

Nebraska's economy is favorable for qualified persons seeking full-time competitive employment with more job openings than persons seeking employment. During the fourth quarter of 2005 there were 33.5% of the vacancies continually open. There were 48% of the vacancies open for at least thirty days. During the fourth quarter of 2005 average entry-level wages ranged from \$19.27 hourly for management occupations to \$6.07 hourly for food preparation and service-related occupations. The average wage for part-time vacancies is \$9.27 per hour and the average wage for full-time vacancies is \$13.75 hourly. Over two-thirds of the Nebraska's employers offer health insurance to their full-time employees.

Available employment opportunities concentrate in the utilities, retail trade, transportation and warehousing, professional, scientific and technical services industries, and accommodation and food service industries. Advancement opportunities for entry-level employees are good to excellent for available vacancies. These opportunities for highest in the metropolitan areas among larger firms. During the fourth quarter of 2005 26.7% of the vacancies required no education, 35.5% required a high school diploma or GED, 17.1% required vocational education, 7.1% a two-year degree and 13.1% a four-year degree or beyond.

Although the statewide picture is positive, local labor markets vary considerably. Small rural labor markets off the I-80 corridor are in decline due to the adverse effects of depressed farm commodity prices. The limited opportunities for

employment in these labor markets constrains individual choice as well as the possibilities for successful rehabilitation if the individual is not willing and able to relocate.

Vocational rehabilitation service needs

Persons with the most significant disabilities

Persons with the most significant disabilities receive priority for services under the Vocational Rehabilitation order of selection (see Attachment 4.12(c)(2)(A)). Major service needs include —

- *Learning about, accessing, and coordinating needed community services and supports.* Persons with the most significant work disabilities have complex needs, complicated by poverty and lack of social support networks. They must seek out and coordinate services and supports from a number of different community agencies, organizations, and programs in an attempt to meet their needs. Income maintenance needed for the relief of poverty is not always available, leading to rehabilitation failures resulting from minor economic crises. Independence and community functioning are not always available from other agencies, leading to abuse of the VR program by those seeking rehabilitation services, not employment. Further, because of the intertwining of cash benefits with services and supports, some persons with the most severe disabilities will be harmed if they achieve high quality employment, a situation which will persist until Nebraska adopts and fully funds the work incentives contained in the Ticket to Work and Work Incentives Improvement Act.
- *Transition services targeted to students with specific learning disabilities and behavior disorders.* Recent data analyses show there is a population of transition students with primary disabilities of specific learning disability and behavioral disorder who have dropped out of school which is increasingly encountered within the Juvenile Justice system. The ultimate fate of this population without intervention is well known. Entry into the Juvenile Justice system is the last place for meaningful intervention. Consequently, an active, employment focused intervention program conducted in cooperation with the Juvenile Justice system is needed.
- *Career assessment, counseling, and planning services targeted to achieving high quality employment outcomes.* Traditional career assessment, counseling, and planning services are disconnected from labor market realities, particularly those associated with constrained rural labor markets. Traditional services are marginally effective for those with cognitive impairments affecting reasoning and judgment. Evidence based, experientially oriented, assessment, counseling, and planning services should be available, particularly in rural areas, to meet needs.
- *Skill training and behavior management services provided in integrated competitive employment and community settings.* Traditional classroom and segregated training programs are marginally effective with persons with cognitive impairments affecting learning and transfer of skill. Evidence-based training and behavior management services provided in relevant community employment and living sites should be made available to meet needs.
- *Personalized vocational rehabilitation services responsive to unique individual needs and person-environment interactions.* The complexity of service needs among persons with the most significant work disabilities is complicated by their unique "one of a kind" nature. Traditional services based on "programs" and "slots" are marginally effective. Flexible services and supports provided to individuals in their natural environments should be made available to meet needs.
- *Rehabilitation technology services to accommodate functional limitations.* Traditional approaches to vocational rehabilitation based on the concept of changing the person to match environmental requirements are marginally effective with treatment and intervention resistant physical and mental impairments. The outmoded concept of changing the person should be changed to one accommodating the person through rehabilitation technology. Rehabilitation engineering to accommodate the person within work and living environments and assistive devices to improve functional capabilities should be made available to meet needs.
- *Equitable access to extended supports for supported employment.* During FY 2005, supported employment goals accounted for 14% of the active VR workload, and 12.5% of the persons rehabilitated. Extended supports are not available for persons whose most significant disabilities result from conditions other than developmental disabilities and severe and persistent mental illness, nor are they available for persons with developmental disabilities under age 21, limiting access to supported employment outcomes for persons whose most significant disabilities result from other physical and mental impairments. This is a problem Vocational Rehabilitation cannot solve.

- *Transportation for employment and independence.* Lack of transportation limits the opportunities for employment and independence among persons with significant work disabilities. This is a community problem that must be addressed at the community level since it also affects the low income and aged populations.

Needs of minority and underserved populations

Based on experience from past initiatives to extend services to previously underserved groups and persons from ethnic and racial minority backgrounds, their needs are best met through long-term, balanced outreach efforts built on continuing partnerships with relevant consumer and support groups. This maintains service equity by preventing an unbalancing of the agency workload while, at the same time, providing a basis for cooperative refinement of services and supports to meet consumer needs.

Needs of persons with disabilities served by other workforce investment system components

Persons with disabilities served by other components of the Nebraska workforce investment system are primarily those whose disabilities either do not substantially impede their employment or do not seriously limit one or more functional capacities in terms of an employment outcome. The employment needs of these individuals generally can be met by the services and supports available from other components of the Nebraska workforce investment system. Vocational Rehabilitation provides information and referral services to assure these individuals link up with the appropriate component of the workforce investment system.

Need to establish, develop, or improve community rehabilitation programs

The need is for evidence-based, flexible vocational skill training, behavior management, and rehabilitation technology services and supports to be provided in natural environments, including integrated competitive employment sites. There also is a need for expanded, predictable, and stable funding of extended services and supports adequate to maintain persons with the most significant disabilities in supported employment.

**Attachment 4.11(b): Annual Estimates of Individuals to Be Served
and Costs of Services**

Attachment 4.11(b): Annual Estimates of Individuals to Be Served

1. Estimates of the number of individuals who are potentially eligible for services.

The table shows the number of potentially eligible persons in Nebraska aged 16 to 64 by priority group category*.

Priority 1 Most Significant	Priority 2 Significant	Priority 3 Not Significant	Total
30,274	24,004	71,722	126,000

* This table total is based on the 2006 Disability Status Report for Nebraska by Cornell University, population 16 to 64 reporting a disability.

2. Estimates of the number of individuals who will receive services and their costs.

- a. *Number of eligible individuals who will receive services with funds provided by Title I, Part B during FY 2009 and their estimated costs, by priority category in the Order of Selection**

Recipient Priority	Served	Cost**
Priority category 1	3,950	\$11,589,761
Priority category 2	1,726	\$5,062,195
Priority category 3	0	\$0
Total	5,676	\$16,651,956

* This table assumes no significant changes in current referral patterns, service mix, or costs of services. It is based on 2007 consumer data where 69.6% of the individuals served were in Priority category 1 and 30.4% were in Priority category 2.

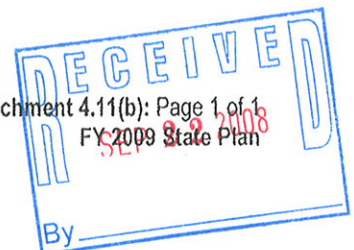
** Does not include costs of assessment services to determine eligibility and OOS priority.

- b. *Number of eligible individuals who will receive services with funds provided by Title VI, Part B during FY 2009 and their estimated costs, by priority category in the Order of Selection**

Recipient Priority	Served	Cost**
Priority category 1	162	\$270,000
Priority category 2	0	0
Priority category 3	0	0
Total	162	\$270,000

* This table assumes no significant changes in current referral patterns, service mix, or cost of supported employment services.

** Includes costs of supplementary assessment services.



Attachment 4.11(c)(1): State's Goals and Priorities

Nebraska Vocational Rehabilitation's Goals and Priorities established in conjunction with the State Rehabilitation Council include —

1. Develop effective community partnerships

As a general practice we are more successful in community partnerships than working with a consumer through an individual caseload. Partnerships provide additional supports that are needed for a consumer to be successful. i.e. transition partnerships with schools, Juvenile Justice System, Behavioral Health Partnerships, Corrections, etc.

A partnership is collaboration with another entity that can play an important role in providing needed supports and services for consumers. It may or may not involve an exchange of funds. It is characterized by VR staff involvement, shared responsibility within the team, and a focus on long-term relationships that involves multiple consumers. It is not the same as a referral source that refers consumers to VR for services, but there is no further collaboration.

Measures: The agency will develop six new community partnerships (one for each area) that combined will produce at least 60 successful employment outcomes during FY2009. These partnerships do not include current mental health partnerships (Scottsbluff, Central Area and North Platte Goodwill, Lincoln, Norfolk and Omaha) or the Omaha SAS or JJS partnerships.

2. Increase the Rehabilitation Rate

Each time a consumer receives services and is not successfully employed the agency loses staff time, funds for purchased services and very likely the consumer's satisfaction with VR services. The agency's rehab rate has increased in recent years and, at 62% during FY2008, is above the national standard of 55.8%. We believe we can do better and conserve the limited resources of time and money, as well as the consumer's positive attitude toward the agency.

Measures: Increase the rehabilitation rate to 65%.

3. Improve consumer satisfaction and engagement

The consumer's satisfaction with VR services, their engagement in the VR program and their belief that they will be employed is perhaps the most important determinates in their success. Therefore this important goal is critical to our success as a program.

Measures: Achieve a 98% satisfactory rating on the three Consumer Satisfaction Surveys: Employment Discussion, Job Planning Discussion, and Job Search Strategy. The "overall satisfaction question" on each of the surveys will be used to determine the satisfactory rate.

4. Increase the opportunity for staff to gain knowledge and skill in the rehabilitation process

Staff knowledge and skills are critical to effectively serving consumers. Staff who have a broad base of knowledge and skill are better equipped to help consumers become successfully employed.

Measures: Teams will increase the opportunity for staff to gain knowledge and skill in rehabilitation processes and services.

5. Strengthen Interpersonal relations on employment teams

The success of our program is based on a team approach. "A small number of people with complementary skills, who are committed to a common purpose, performance goals, and approach for which they hold themselves mutually accountable." [From Wisdom of Teams] Each team needs to operationalize this philosophy to assure their success as a team. On-going attention to interpersonal relations as it related to doing the work of the agency is critical to our success.

Measures: The Workplace Environment Survey will increase from a 2008 baseline of 79% positive to 85% positive in 2009. This is on a scale where 100% means that all field staff are in agreement with the 12 workplace environment questions. The Gallup organization has determined that these 12 workplace environment questions when answered affirmatively are the clearest indicators of a positive work environment.

6. **Increase the number of transition students who apply for the Employment Program and become successfully employed**

Research demonstrates that students are more successful in transitioning to employment and adult life where Vocational Rehabilitation, educators, students, parents, and adult agencies begin the process by age 14, unify planning and share resources.

Measures:

[1] Increase the number of transition students who applied for the Employment Program from a 2007 baseline of 603 to 1,000 new applicants in FY2009.

[2] Increase the number of transition students who are successfully employed through the Employment Program from a 2007 baseline of 275 outcomes to 400 outcomes in FY2009.

[3] Achieve a rehab rate of 65% for all transition students who entered the Employment Program and exited following services.

7. **Increase the quality and timeliness of placements**

The effectiveness of the Vocational Rehabilitation program is measured by the number of consumers who get better jobs, with a living wage and access to medical benefits. The time it takes to achieve this goal is also an important factor for the consumer as well.

This goal is best achieved by "Targeting Industries" that offer a living wage, provide access to medical benefits, and have multiple ongoing job opportunities. Thus, an "employer development" approach that yields multiple job opportunities is likely to be more effective than a "job placement" approach where multiple employers are needed for individual placements. The "employer development" approach also gives VR career-planning staff an opportunity to market current job opportunities to consumers and give them early options for "informed choice".

Measures:

[1] Decrease the amount of time that a consumer is in "Employment Services" from 2007 baseline of 70.5 days per job search to 55 days per job search in FY2009.

[2] Increase the average consumer wage from a 2007 baseline of \$9.67 to \$10.67 in FY2009.



Attachment 4.11(c)(3): Order of Selection

Individuals who have a determination of eligibility or priority within the Order of Selection made during the fiscal year will be selected for the provision of planned vocational rehabilitation services in the following order, to the extent it is determined the personnel and fiscal resources necessary to carry out their Individualized Plans for Employment are available for them.

Priority category one: All eligible persons who are determined, on the basis of an assessment of eligibility and rehabilitation needs, to be "individuals with the most significant disabilities" as defined below.

Priority category two: All eligible persons who are determined, on the basis of an assessment of eligibility and rehabilitation needs, to be individuals with significant disabilities as defined below.

Priority category three: All other persons who are determined, on the basis of an assessment of eligibility and rehabilitation needs, to be individuals with disabilities as defined below.

Justification of the Order of Selection

Priority category one: The Rehabilitation Act requires persons with the most significant disabilities receive services before other eligible persons.

An individual with the most significant disability is one:

1. Who has a severe physical or mental impairment that seriously limits two or more functional areas (mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome, and
2. Who requires multiple services over an extended period of time, and
3. Who has one or more physical or mental impairments resulting from amputation, arthritis, autism, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), spinal cord injuries, including paraplegia and quadriplegia, sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitations.

Priority category two: This priority group provides a priority to all persons with significant disabilities and is consistent with the intent of the Rehabilitation Act to focus services on persons with significant disabilities.

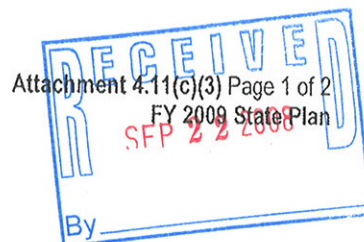
An individual with a significant disability is one:

1. Who has a severe physical or mental impairment that seriously limits one functional area (mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome, and
2. Who requires multiple services over an extended period of time, and
3. Who has one or more physical or mental impairments resulting from amputation, arthritis, autism, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), spinal cord injuries, including paraplegia and quadriplegia, sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitations.

Individuals who receive Social Security Disability Insurance (DDSI) or Supplemental Security Income (SSI) automatically qualify for priority group two and are assessed to determine whether they qualify for priority group one.

Priority category three: This priority group contains all other eligible persons, and assures that persons with the most significant disabilities and persons with significant disabilities are selected for service before all other persons with disabilities.

All other eligible individuals.



Service and outcome goals for persons served during FY 2009

Recipient Priority	Served	Rehabilitated
Priority category 1	3950	1,066
Priority category 2	1726	466
Priority category 3	0	0
Total	5,676	1,532



Attachment 4.11(c)(4): Goals and Plans for Distribution of Title VI, Part B Funds

Goal

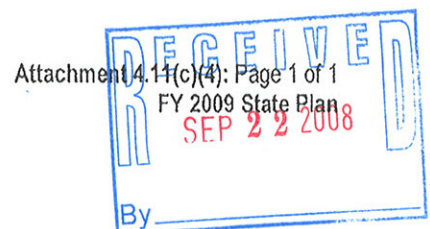
To provide persons with the most significant disabilities with individualized supported employment services so they may achieve competitive employment in supported employment settings.

Plans For Distribution Of Title VI-B Funds

The funds received under Title VI, Part B will be distributed in the form of contractual payments for the costs of supported employment services provided to eligible persons with the most significant behavioral health disabilities. Vocational Rehabilitation has a written agreement with the state's Division of Behavioral Health Services that promotes evidence-based supported employment services to individuals with behavioral health disabilities. Written contracts have been established with a qualified provider in each of the state's six regions. These contracts identify the need for supported employment, the specific evidence-based supported employment services available from the provider leading to competitive employment in a supported employment setting which may include Transitional Employment, and their negotiated projected outcomes. The Division of Behavioral Health Services also provides funds for supported employment and extended services.

Each contract promotes shared responsibility for outcomes. Each provider, based on negotiated projected outcomes, will receive as quarterly allotments 60% of the maximum VR funding available. The remaining 40% are incentive payments paid out per outcome up to, but not exceeding, the negotiated projected outcomes.

The projected cost of the contracts exceeds the VI-B Funds allocation and is supplemented with Section 110 Funds.



Attachment 4.11(d): State's Strategies and Use of Title I Funds for Innovation and Expansion Activities

Strategies to Address Needs Identified in the Comprehensive Assessment and to Achieve Identified Goals and Priorities — We will address the needs identified in the comprehensive statewide assessment of needs, and achieve greater success in our identified goal and priority areas by focusing strategic activities and innovation and expansion funds on these five program dimensions.

Transition Research demonstrates that students with disabilities are more successful in transitioning to employment and adult life where Vocational Rehabilitation, educators and adult agencies begin the process by age 14, unify planning and share resources. Therefore, Nebraska Vocational Rehabilitation will either continue or initiate the following:

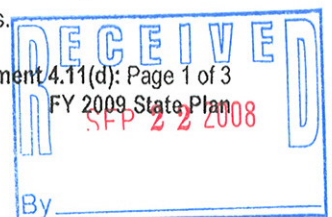
- (1) Outreach to students entering high school from middle schools.
- (2) Engage students in career exploration, career planning, career activities and career decisions.
- (3) Disseminate publications and information to Transition students and their families.
- (4) Develop regional Youth Leadership Councils that will provide students with opportunities to develop leadership skills.
- (5) Develop a discharge planning protocol for use by juvenile justice facilities for releasing students to their home school districts.
- (6) Utilize the results of the Transition Survey to schools conducted by the State Rehabilitation Council to improve the partnership between VR and the schools.
- (7) Coordinate with the Nebraska Department of Education and the Department of Labor-Workforce Development on implementing the Career Management System that will be available to all schools.
- (8) Design within QUEST II a better method for collecting and recording transition data in order to provide necessary reports to staff and schools.
- (9) Participate in Youth Employment Solutions, a multi-agency project in 6 Nebraska communities focused on system change to promote the employment outcome of youth receiving social security benefits.
- (10) Partner with Assistive Technology Partnership (ATP) in a demonstration project to increase the use of assistive technology in secondary schools.
- (11) Develop scholarships with businesses targeted to graduating transition students to support employment related education and training.

Employment Services The benefits of employer/vocational rehabilitation partnerships are well documented in recent rehabilitation research. Employers benefit from 1) a diverse workforce, 2) access to a wider range of qualified candidates, 3) reduced turnover and improved attendance of workers and 4) learning how to meet workers' accommodations needs. Rehabilitation benefits from 1) improved knowledge of business culture and needs, 2) increased employment opportunities for people with disabilities, 3) realistic skills training and 4) enhanced consumer satisfaction. Therefore, Nebraska Vocational Rehabilitation will either continue or initiate the following:

- (1) Target employers and industries based on labor market information, future occupational trends and quality jobs.
- (2) Establish long-term relationship with key employers through employer accounts.
- (3) Utilize the National Employment Network, The NET, to connect local labor demands with regional and national opportunities.
- (4) Join with regional managers of businesses in the National Employment Network to meet with local managers to facilitate local partnership buy-in.
- (5) Develop and utilize job retention videos in an effort to improve our rehabilitation rate.
- (6) Conduct a job placement roundtable where placement, evaluation, and transition staff collaborate with healthcare administrators to increase job opportunities for consumers in the healthcare industry.
- (7) Develop employer internship opportunities for consumers pursuing associate degrees.

Attachment 4.11(d): Page 1 of 3

FY 2009 State Plan



Consumer Satisfaction Nebraska Vocational Rehabilitation has used various methods over the years of gathering consumer satisfaction. These efforts have yielded limited response and limited value in the information received. In order to improve our program and insure that the program is meeting the needs of our consumers, Nebraska Vocational Rehabilitation must develop effective methods of gathering meaningful consumer satisfaction information. Therefore, Nebraska Vocational Rehabilitation will either continue or initiate the following:

- (1) Continue to develop consumer satisfaction surveys to gather timely and meaningful feedback.
- (2) Utilize the survey services of the State Rehabilitation Council.
- (3) Contract with outsourced Employment Warranty® monitors to conduct consumer satisfaction survey by phone with consumers during and after services.
- (4) Implement the goal alignment process that was developed through the technical assistance provided by the American Society for Quality.
- (5) Utilize reports from the Client Assistance Program to focus on identified needed areas for improvement.

Employment Outcomes Nebraska Vocational Rehabilitation continues to see ways to improve the rehabilitation rate of the program. Therefore, Nebraska Vocational Rehabilitation will either continue or initiate the following:

- (1) Survey consumers as they complete major milestones in the rehabilitation process to determine planning, readiness, and other factors that contribute to successful outcomes.
- (2) Conduct case reviews to determine factors that contribute to improving our rehabilitation rate.
- (3) Train staff to effectively identify and address consumer planning and readiness factors that often lead to unsuccessful outcomes.
- (4) Improve the frequency and quality of Vocational Rehabilitation contact and follow-up with consumers throughout the Vocational Rehabilitation process to keep the consumers engaged in their program or services.
- (5) Continue to promote and monitor the newly developed placement standards.

Employment Warranty® This program helps consumers regain, maintain and advance in employment. Monitoring with consumers at 90 days, 180 days and 1-year following their employment outcome, promotes greater job stability for those with significant disabilities who have the least community supports available to them.

- (1) Identify data elements for collection and measurement to evaluate the long term employment outcomes of consumers.
- (2) Program QUEST II to support Employment Warranty® monitoring and data collection.
- (3) Contract for Employment Warranty® monitoring (preferably persons with disabilities) to conduct the monitoring with consumers for up to one year after their employment outcome.

Innovation and Expansion I&E funds will be used to support these areas and related activities —

State Rehabilitation Council
State Independent Living Council
State Transition Program Director Position and a portion of transition activities
Juvenile Justice System Program

Assistive Technology The agency grants funds to the Nebraska Assistive Technology Partnership (ATP) to provide rehabilitation engineering and assistive technology services to agency consumers at all stages of the rehabilitation process. Consumers are referred to ATP by VR staff for all assistive technology assessments, funding coordination and assistive technology solutions. ATP offices are located throughout the state and in some cities are co-located with the VR office. Based on referral data available at the writing of this plan, the VR agency is expected to make over 500 referrals to ATP.

The agency funds a demonstration project to expand the awareness and knowledge of secondary educators in the use of assistive technology for students.

Individuals with Disabilities who are Minorities The agency continues its commitment to the hiring of bilingual staff. At present, the agency has four bilingual staff members. In an attempt to increase the hiring of bilingual staff, we offer a salary differential incentive. Program materials are offered in Spanish.

There are three Indian Reservations in Nebraska. VR has one representative on the Nebraska Department of Education Native American Education Advisory Council.



Individuals with Significant Disabilities Since Nebraska Vocational Rehabilitation has only been serving individuals with significant or most significant disabilities for more than 15 years, our outreach to individuals with significant disabilities continues to be effective.

Individual who have been Unserved or Underserved The Client Assistance Program (CAP) each year assesses the VR agency's outreach to unserved and underserved individuals with disabilities and will provide comment to the agency if CAP found the agency to be remiss in this area.

Some examples of the agency's efforts on behalf of individuals who are unserved or underserved are as follows:

Nebraska Vocational Rehabilitation participates in a Ticket to Work Medicaid Infrastructure Grant on Palliative Care for individuals who are not working due to chronic pain. The goal of the project is to help individuals be able to work following pain management services.

Nebraska Vocational Rehabilitation serves on the TBI Council which is funded through a HIRSA grant. The Council is focused on re-establishing a statewide Brain Injury Association in Nebraska and promoting state legislation and funding for services to individuals with TBI in Nebraska. Following the Council's Statewide HELPS Brain Injury Screening Tool Pilot, this tool is now being administered statewide with all applicants for VR services to aid in the identification of previously undiagnosed brain injuries and residual impediments to employment. The findings from the Council's statewide pilot will form the foundation for later investigations regarding the impact of improved TBI survivor identification on service delivery and rehabilitation efforts.

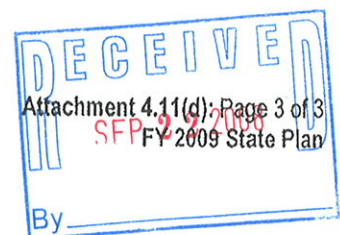
Nebraska Vocational Rehabilitation will expand its services to the juvenile justice population by adding a program director position to develop and coordinate new services throughout the state.

Plan for Establishing Community Rehabilitation Programs Since Nebraska Vocational Rehabilitation provides direct services in the areas of vocational evaluation, independent living, and job placement, the agency has no plans for establishing any additional community rehabilitation programs. The agency does contract with those community rehabilitation programs that provide evidence-based supported employment services to individuals with behavioral health impairments.

Assisting Components of the Workforce Investment System in Assisting Individuals with Disabilities Nebraska Vocational Rehabilitation continues to have representation on all the local WIA boards, serve on the local One Stop Career Center management council at some of the centers, have VR staff at each local One Stop Career Center on an itinerant basis and work collaboratively with the Navigators.

Presentations are made to Center staff on vocational rehabilitation services and other topics related to serving individuals with disabilities. One Stop staff have standing invitations to attend VR's Medical Aspects training.

One of the representatives on the State Rehabilitation Council is a Workforce Investment System Navigator.



Attachment 4.11(e)(2): Evaluation and Report of Progress in Achieving Identified Goals and Priorities and Use Of Title I Funds for Innovation and Expansion Activities

The following presents our evaluation and report of progress for FY 2007.

1. Strategies to Address Needs Identified in the Comprehensive Assessment and to Achieve Identified Goals and Priorities

Needs identified in the comprehensive statewide assessment of needs, and to achieve greater success in our identified goal and priority areas are addressed by focusing our strategic activities and the expenditure of innovation and expansion funds on the six program dimensions listed below.

Transition uses shared resources to begin a coordinated planning process for the post-school years when students with disabilities reach age 14.

In FY 2007, we:

- (1) Participated in a work group that is developing the Career Management System through the Nebraska Department of Education.
- (2) Completed training (office directors and specialists) on the Nebraska Career Management System.
- (3) Continued to disseminate transition "Making It Work" publication and the Family Planners to participants in the transition program.
- (4) Continued to disseminate the report to individual schools that list students involved in transition. The report identifies the milestone the student is in.
- (5) Expanded the pilot project that serves 18 to 21 year olds who leave school and need supported employment services in a metro (Lincoln) area.
- (6) Continued employment information sessions, post-secondary awareness fairs, employer tours and career fairs for students.
- (7) Developed with Assistive Technology Partnership a brochure to market Vocational Rehabilitation work-based activities, assistive technology and other services to schools.
- (8) Developed and distributed the new Transition Resource Guide to staff for use as they work in the schools.
- (9) Convened regular meetings of the Transition Committee (members are staff from all areas of the state) to provide input for policy and procedure development.
- (10) Developed priority to increase level of staff support to provide work-based learning activities to students, ages 14-21.
- (11) Held second annual transition roundtable to develop transition initiatives.
- (12) Piloted two (2) Juvenile Justice initiatives in Geneva and Lincoln.
- (13) Assisted the State Rehabilitation Council in surveying high schools on transition services.

Innovation and Expansion (I & E) funding is used when appropriate and necessary to support activities related to this program dimension.

Directed Outreach promotes equitable access to our services by underserved disability and minority groups.

In FY 2007, we:

- (1) Modified behavioral health supported employment agreements to expand the client base from only the severe and persistent mentally ill to also those who have substance abuse and other major mental illnesses.
- (2) Changed behavioral health agreements to performance-based contracts and developed such contracts with a provider in each of the six (6) regions of the state in cooperation with Department of Health & Human Services.
- (3) Provided twelve (12) trainings to staff in the area of brain injury in order to better serve through direct services this population.
- (4) Began piloting the use of HELPS, a brain injury identification tool in three field offices.
- (5) Continued outreach to the Hispanic Latino community through work at community centers by bilingual staff.
- (6) Continued benefits counseling support to Social Security recipients who are working to help them move from benefits to full-time employment where feasible. This was accomplished through a contract with Nebraska Easter Seals.

SEP 22 2008

By _____

- (7) Participated in the Nebraska Department of Education Native American Council to support community and school initiatives.
- (8) Initiated project with Madonna Rehabilitation Hospital to serve individuals with significant physical disabilities.
- (9) Opened a new Vocational Rehabilitation office in the Omaha metro area to better serve the western part of the city.

Front-End Planning promotes informed choice, increased consumer satisfaction and higher success rates.

In FY 2007, we:

- (1) Continued monitoring staff skills in conducting the "Employment Discussion." An evaluation sheet has been developed.
- (2) Continued providing training to new staff in the Employment and Career Planning Discussion and on communication strategies.
- (3) Continued monitoring the implementation of the front end process and made changes where necessary.
- (4) Updated the Job Planning Resource Guide and posted it to the internal website to provide better access for VR staff. The guide provides career planning resources for staff and consumers.
- (5) Continued to assess and refine the *Discover the Job That Works for You* booklet.

Innovation and Expansion (I & E) funding is used when appropriate and necessary to support activities related to this program dimension.

Team Services promotes provision of state of the art, value added direct services by VR staff.

In FY 2007, we:

- (1) Developed strategy to approach businesses to provide information on assistive technology and how to retain employees with disabilities.
- (2) Provided training on assessment tools in the area of TBI and provided software to assess clients' strengths and abilities.
- (3) Continued the Placement Committee to identify new directions and strategies. One successful strategy developed is the transition scholarship program.
- (4) Continued quality assurance reviews by office directors and program directors.
- (5) Piloted the first customer satisfaction survey in conjunction with the State Rehabilitation Council that assesses the services provided during the rehabilitation process.
- (6) Surveyed staff on their satisfaction with their job and the workplace.
- (7) Developed video iChat schedule of interviews between the Director, Assistant Director and new staff during their first year of employment.
- (8) Implemented an emerging leaders program for any staff person who is interested in developing leadership skills.
- (9) Increased the repertoire of new training modules and tools to support local office training.

Innovation and Expansion (I & E) funding is used when appropriate and necessary to support activities related to this program dimension.

Targeting Industries obtains access to high quality jobs (i.e., those paying a living wage, with benefits, and offering opportunities for career advancement) for consumers with the most significant disabilities.

In FY 2007, we:

- (1) Continued to support existing partnerships and focused on development of new partners particularly through the transition scholarship program.
- (2) Partnered with Assistive Technology staff to introduce employers to low cost solutions to accommodations.
- (3) Provided employers and consumers to the Telework and Alternative Financing Loan Programs. The Alternative Financing Program has loaned over one million dollars.
- (4) Continued to provide training on the Department of Labor websites, i.e., employer locator, NE Career Compass, O*Net, etc.
- (5) Worked with the national The NET Program through CSAVR. Nebraska VR is making contact with the employers identified through The Net.



- (6) Planned and participated in planning a regional employment conference that focused on working with targeted industries.

Employment Warranty® enables consumers with significant disabilities to maintain and advance in employment.

In FY 2007, we:

- (1) Conducted a pilot on outsourcing the Employment Warranty® monitoring. The result is we will begin to outsource monitoring.
- (2) Provided personal contact during first year of Employment Warranty® monitoring.
- (3) Continued to have Social Security recipients monitored through the Easter Seals Benefits Planning Program to assure they have correct information to make decisions about benefits.
- (4) Have monitored the number of Social Security recipients that have gone off all cash benefits.

Innovation and Expansion (I & E) funding is used when appropriate and necessary to support activities related to this program dimension.

2. Strategies to Carry out Outreach Activities to Identify and Serve Individuals with the Most Significant Disabilities Who are Minorities

Each team develops an outreach plan. As part of the planning, consideration is given on how to best serve minority populations. In addition to minority outreach through the teams, our transition strategy assists in reaching all racial and ethnic minority groups as they occur naturally in schools.

In FY 2007, we:

- (1) Continued our involvement with the Nebraska Department of Education Native American Initiative and working with the reservations.
- (2) Provided placement services to Hispanic employers with bilingual staff where available.
- (3) Continued the priority of hiring bilingual staff. Increased pay is available for staff who are bilingual or have ASL skills.
- (4) Identified and began developing partnerships with employers who are Hispanic.

3. Strategies to Overcome Identified Barriers Relating to Equitable Access to and Participation of Individuals with Disabilities in the State Vocational Rehabilitation Services Program and the State Supported Employment Services Program

Identified barriers affecting access to and participation in vocational rehabilitation services include:

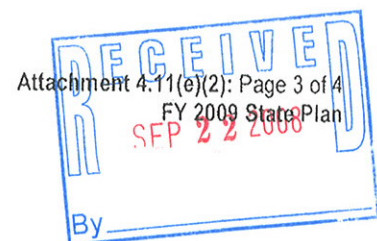
(1) **Systemic barriers.** Potential applicants with low incomes or in poverty survive on an intricate array of multiple income maintenance and human service supports. The rules, regulations, and requirements underlying these supports interact in unpredictable or unintended ways when participation in vocational rehabilitation services requires significant time or temporary employment for work trial or training purposes, threatening survival and creating substantial disincentives to vocational rehabilitation.

(2) **Individual barriers.** Potential applicants have multiple specific individual and family life circumstances and problems, which interact with each other to interfere with program participation and employment. While the nature of many of these problems is well known (e.g., transportation, child care, housing, etc.), their multiplicity and interactions, in and of themselves, create barriers to program participation and employment. We have developed an evidence-based employment assessment to identify home, community, and on the job issues that interfere with program participation and employment. This assessment is incorporated in the *Discover the Job That Works for You* booklet.

(3) **Programmatic barriers.** Other public programs working with low income and poverty populations encounter the same systemic and individual barriers. Programmatic barriers arise when disability is a complicating factor, and a different approach is required. While some programmatic barriers tie to program policies and practices, others result from staff ignorance of the functional impact of disability on work and independence, or from the cost impact of new approaches.

In FY 2007, we:

- (1) Participated in mental health planning for vocational services in an area of the state where there is no partnership.
- (2) Participated in state mental health planning to move to an evidence-based supported employment milestone model of service delivery.



- (3) Publicized the new housing.ne.gov website to assist people with disabilities to get affordable housing near their worksite. Staff utilize this resource regularly.
- (4) Supported and assisted consumers in the use of the Alternative Financing and Telework loan programs.
- (5) Publicized the new AT4All.com website which coordinates all available assistive technology for the state. This includes equipment available for loan, for sale, for demonstration and for give away.
- (6) Established an agency wide video remote interpreting service to address the shortage of sign language interpreters for the deaf in the rural areas of the state.
- (7) Utilized Title I funds to supplement Title VI, Part B funds to adequately address the supported employment services in the state of Nebraska. There were 234 supported employment outcomes in Nebraska in 2007.

4. Performance Accountability and Continuous Improvement

Performance accountability and continuous improvement is central to all strategies for meeting the vocational rehabilitation needs of individuals with significant and most significant disabilities in Nebraska. QUEST is our comprehensive information management system with the capacity to continuously capture and report data on critical processes and outcomes.

In FY 2007, we:

- (1) Continued to develop the second generation of the data system, QUEST II, to improve our efficiency and effectiveness.
- (2) Developed standardized processes to enhance efficiency in documentation.
- (3) Developed reports to support performance reporting and analysis

5. Innovation and Expansion

I & E funding totaling \$227,342 was used to support the following areas and related activities.

- (1) State Rehabilitation Council
- (2) State Independent Living Council
- (3) State Transition Coordinator Position and a portion of Transition related activities
- (4) Juvenile Justice System Program

6. Standards and Indicators

The agency met all of the performance standards in FY 2007. Through the strategies and activities identified in this state plan, the agency expects to increase the margins by which it exceeds the federal standards.



Attachment 6.3: Quality, Scope, and Extent of Supported Employment Services

Quality of supported employment services

All services provided will be of high quality, as judged by prevailing professional standards and such legal standards as may apply. Persons licensed, certified, or registered in accordance with the laws of the State of Nebraska to perform the services will render these services or, if the service is not regulated by the State, by persons who are able to demonstrate they are qualified by reason of education, training, and experience to perform the services.

Scope of supported employment services

The services made available by Vocational Rehabilitation using Title VI-C funds is limited to those initial services resulting in stable job performance in an integrated competitive work setting. These may include, as appropriate to individual needs:

1. An assessment of the need for supported employment services which is supplementary to and provided after an assessment of eligibility and rehabilitation need has determined that a person is eligible for services and is a person with a most significant disability.
2. Development and placement in integrated competitive employment for the maximum number of hours possible consistent with the person's unique strengths, resources, priorities, concerns, abilities, and capabilities.
3. Intensive on-the-job skills training and other training provided by skilled job trainers, co-workers, and other qualified persons. This training is based on a systematic analysis of the work to be performed, and a systematic analysis of the employer's performance expectations and requirements. It is conducted in accordance with a written plan identifying the methods of teaching, instruction, and behavior management necessary to enable the individual to acquire skills and master the work to be performed, to regulate behavior in accordance with the employer's requirements and expectations, and achieve stable job performance. The training provides for a systematic reduction of intensive teaching, instruction, and behavior management methods to the lowest intervention level necessary to maintain stable job performance.
4. Other vocational rehabilitation services that are needed to achieve and maintain job stability including, but not limited to —
 - a. Interpreter services for individuals with hearing impairments to permit communication between the individual and the skilled job trainer.
 - b. Occupational licenses and permits required by federal, state, and local law to perform an occupation.
 - c. Occupational tools and equipment required by the employer but not routinely provided to new employees.
 - d. Rehabilitation technology services including adaptations and modifications of the workplace.
 - e. Work clothing and uniforms required by the employer but not routinely provided to new employees, and safety shoes and other articles of clothing necessary to permit safe performance on the job.
 - f. Transportation from place of residence to the work site and return until the person can pay for the cost from earnings.
5. Follow-up services, including regular contact with the employer, the individual with a most significant disability, the individual's parents, guardian or other representative, in order to reinforce and stabilize the job placement.
6. On-going monitoring services from the time of job placement until the transition to extended services from one or more extended services providers. These services include, at a minimum, the assessment of employment stability and, based on that assessment, the coordination or provision of specific services needed to maintain employment stability.

Extent of supported employment services

1. Assessment of rehabilitation need for supported employment services are made available to the extent necessary to determine the nature and scope of services to be provided under an individualized written rehabilitation program to achieve supported employment.
2. Job development and placement services are provided to the extent necessary to place the individual into integrated competitive employment consistent with his or her informed choice, or to determine on the basis of clear evidence that an employment outcome cannot be achieved.

3. Intensive on-the-job and other training services are provided to the person to the extent necessary to achieve stable job performance, or to determine on the basis of clear evidence this cannot be achieved. Services are provided for a maximum of 18 cumulative months, beginning on the day the person starts the job, unless a longer period is provided in the individualized written rehabilitation program of the person.
4. Other services are made available to the extent necessary to support the individual in an individualized written rehabilitation program to achieve supported employment.
5. Follow-up services are provided to the individual to the extent necessary to assure that job stability has occurred, or to determine on the basis of clear evidence that job stability cannot be achieved.
6. On-going monitoring services are provided, at a minimum, twice monthly at the work site to assess employment stability and, based on that assessment, to coordinate or provide specific services needed to maintain employment stability. If off-site monitoring is determined to be appropriate, and is included in the person's individualized written rehabilitation program, it must, at a minimum, include two meetings with the person and one contact with the employer each month.

Transition to extended services

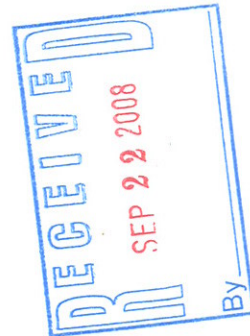
Vocational Rehabilitation transitions the person to extended services provided by other public agencies, nonprofit agencies or organizations, employers, natural supports, or other entities no later than 18 cumulative months after placement in supported employment (unless a longer period is established in the individualized written rehabilitation program), provided that—

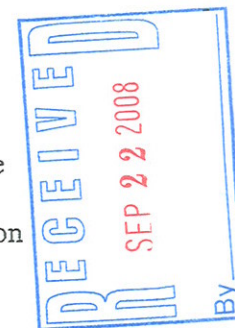
- the person has made substantial progress toward meeting any hours per week work goal in the individualized written rehabilitation program,
- the individual is stabilized on the job, and
- extended services are available and can be provided without a hiatus in services.

STATE PLAN FOR THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM
AND
STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM

STATE: NebraskaAGENCY: Nebraska Department of Education, Vocational RehabilitationAGENCY TYPE: GENERAL ☒ BLIND ☐ COMBINED ☐**SECTION 1: STATE CERTIFICATIONS**

- 1.1 The Nebraska Department of Education (name of designated state agency or designated state unit) is authorized to submit this State Plan under Title I of the Rehabilitation Act of 1973, as amended¹ and its supplement under Title VI, Part B, of the Rehabilitation Act².
- 1.2 As a condition for the receipt of federal funds under Title I, Part B, of the Rehabilitation Act for the provision of vocational rehabilitation services, the Nebraska Department of Education (name of the designated state agency)³ agrees to operate and administer the State Vocational Rehabilitation Services Program in accordance with the provisions of this State Plan⁴, the Rehabilitation Act, and all applicable regulations⁵, policies and procedures established by the secretary. Funds made available under Section 111 of the Rehabilitation Act are used solely for the provision of vocational rehabilitation services under Title I of the Rehabilitation Act and the administration of the State Plan for the vocational rehabilitation services program.
- 1.3 As a condition for the receipt of federal funds under Title VI, Part B, of the Rehabilitation Act for supported employment services, the designated state agency agrees to operate and administer the State Supported Employment Services Program in accordance with the provisions of the supplement to this State Plan⁶, the Rehabilitation Act and all applicable regulations⁷, policies and procedures established by the secretary. Funds made available under Title VI, Part B, are used solely for the provision of supported employment services and the administration of the supplement to the Title I State Plan.
- 1.4 The designated state agency and/or the designated state unit has the authority under state law to perform the functions of the state regarding this State Plan and its supplement.
- 1.5 The state legally may carry out each provision of the State Plan and its supplement.
- 1.6 All provisions of the State Plan and its supplement are consistent with state law.





- 1.7 The State Treasurer (title of state officer) has the authority under state law to receive, hold and disburse federal funds made available under this State Plan and its supplement.
- 1.8 The Commissioner of Education (title of state officer) has the authority to submit this State Plan for vocational rehabilitation services and the State Plan supplement for supported employment services.
- 1.9 The agency that submits this State Plan and its supplement has adopted or otherwise formally approved the plan and its supplement.


(Signature)

Douglas D. Christensen
(Typed Name of Signatory)

6-6-08
(Date)

Commissioner of Education
(Title)

- ¹ Public Law 93-112, as amended by Public Laws 93-516, 95-602, 98-221, 99-506, 100-630, 102-569, 103-073, and 105-220.
- ² Unless otherwise stated, "Rehabilitation Act" means the Rehabilitation Act of 1973, as amended.
- ³ All references in this plan to "designated state agency" or to "the state agency" relate to the agency identified in this paragraph.
- ⁴ No funds under Title I of the Rehabilitation Act may be awarded without an approved State Plan in accordance with Section 101(a) of the Rehabilitation Act and 34 CFR part 361.
- ⁵ Applicable regulations include the Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 74, 76, 77, 79, 80, 81, 82, 85 and 86 and the State Vocational Rehabilitation Services Program regulations in 34 CFR Part 361.
- ⁶ No funds under Title VI, Part B, of the Rehabilitation Act may be awarded without an approved supplement to the Title I State Plan in accordance with Section 625(a) of the Rehabilitation Act.
- ⁷ Applicable regulations include the EDGAR citations in footnote 5, 34 CFR Part 361, and 34 CFR Part 363.

SECTION 2: PUBLIC COMMENT ON STATE PLAN POLICIES AND PROCEDURES**2.1 Public participation requirements.** (Section 101(a)(16)(A) of the Act; 34 CFR 361.10(d), .20(a), (b), (d); and 363.11(g)(9))**(a) Conduct of public meetings.**

The designated state agency, prior to the adoption of any substantive policies or procedures governing the provision of vocational rehabilitation services under the State Plan and supported employment services under the supplement to the State Plan, including making any substantive amendments to the policies and procedures, conducts public meetings throughout the state to provide the public, including individuals with disabilities, an opportunity to comment on the policies or procedures.

(b) Notice requirements.

The designated state agency, prior to conducting the public meetings, provides appropriate and sufficient notice throughout the state of the meetings in accordance with state law governing public meetings, or, in the absence of state law governing public meetings, procedures developed by the state agency in consultation with the State Rehabilitation Council, if the agency has a Council.

(c) Special consultation requirements.

The state agency actively consults with the director of the Client Assistance Program, the State Rehabilitation Council, if the agency has a Council, and, as appropriate, Indian tribes, tribal organizations, and native Hawaiian organizations on its policies and procedures governing the provision of vocational rehabilitation services under the State Plan and supported employment services under the supplement to the State Plan.

SECTION 3: SUBMISSION OF THE STATE PLAN AND ITS SUPPLEMENT

- 3.1 Submission and revisions of the State Plan and its supplement.** (Sections 101(a)(1), (23) and 625(a)(1) of the Act; Section 501 of the Workforce Investment Act; 34 CFR 76.140; 361.10(e), (f), and (g); and 363.10)
- (a) The state submits to the commissioner of the Rehabilitation Services Administration the State Plan and its supplement on the same date that the state submits either a State Plan under Section 112 of the Workforce Investment Act of 1998 or a state unified plan under Section 501 of that Act.
 - (b) The state submits only those policies, procedures, or descriptions required under this State Plan and its supplement that have not been previously submitted to and approved by the commissioner.
 - (c) The state submits to the commissioner at such time and in such manner as the commissioner determines to be appropriate, reports containing annual updates of the information relating to the:
 - (1) Comprehensive system of personnel development;
 - (2) Assessments, estimates, goals and priorities, and reports of progress;
 - (3) Innovation and expansion activities; and
 - (4) Other updates of information required under Title I, Part B or Title VI, Part B of the Act that are requested by the commissioner.
 - (d) The State Plan and its supplement are in effect subject to the submission of modifications the state determines to be necessary or the commissioner requires based on a change in state policy, a change in federal law, including regulations, an interpretation of the Act by a federal court or the highest court of the state, or a finding by the commissioner of state noncompliance with the requirements of the Act, 34 CFR 361, or 34 CFR 363.
- 3.2 Supported employment State plan supplement.** (Sections 101(a)(22) and 625(a) of the Act; 34 CFR 361.34 and 363.10)
- (a) The state has an acceptable plan for carrying out Part B of Title VI of the Act that provides for the use of funds under that part to supplement funds made available under Part B of Title I of the Act for the cost of services leading to supported employment.
 - (b) The supported employment State Plan, including any needed annual revisions, is submitted as a supplement to the State Plan.

SECTION 4: ADMINISTRATION OF THE STATE PLAN**4.1 Designated state agency and designated state unit.** (Section 101(a)(2) of the Act; 34 CFR 361.13(a) and (b))**(a) Designated state agency.**

- (1) There is a state agency designated as the sole state agency to administer the State Plan or to supervise its administration in a political subdivision of the state by a sole local agency.
- (2) The designated state agency is:
 - (A) _____ a state agency that is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities; or
 - (B) x a state agency that is not primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and includes a vocational rehabilitation unit as provided in paragraph (b) of this section.
- (3) In American Samoa, the designated state agency is the governor.

(b) Designated state unit.

- (1) If the designated state agency is not primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities, in accordance with subparagraph 4.1(a)(2)(B) of this section the state agency includes a vocational rehabilitation bureau, division, or unit that:
 - (A) Is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and is responsible for the administration of the designated state agency's vocational rehabilitation program under the State Plan;
 - (B) Has a full-time director;
 - (C) Has a staff, at least 90 percent of whom are employed full-time on the rehabilitation work of the organizational unit; and
 - (D) Is located at an organizational level and has an organizational status within the designated state agency comparable to that of other major organizational units of the designated state agency.
- (2) The name of the designated state vocational rehabilitation unit is Nebraska Vocational Rehabilitation.

4.2 State independent commission or State Rehabilitation Council. (Sections 101(a)(21) and 105 of the Act; 34 CFR 361.16 and .17)
The State Plan must contain one of the following assurances.

- (a) _____ The designated state agency is an independent state commission that:
- (1) Is responsible under state law for operating, or overseeing the operation of, the vocational rehabilitation program in the state and is primarily concerned with the vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities in accordance with subparagraph 4.1(a)(2)(A) of this section.
 - (2) Is consumer-controlled by persons who:
 - (A) Are individuals with physical or mental impairments that substantially limit major life activities; and
 - (B) Represent individuals with a broad range of disabilities, unless the designated state unit under the direction of the commission is the state agency for individuals who are blind;
 - (3) Includes family members, advocates, or other representatives of individuals with mental impairments; and
 - (4) Undertakes the functions set forth in Section 105(c)(4) of the Act and 34 CFR 361.17(h)(4).

or

- (b) x The state has established a State Rehabilitation Council that meets the criteria set forth in Section 105 of the Act and 34 CFR 361.17 and the designated state unit:
- (1) Jointly with the State Rehabilitation Council develops, agrees to, and reviews annually state goals and priorities, and jointly submits to the commissioner annual reports of progress, in accordance with the provisions of Section 101(a)(15) of the Act, 34 CFR 361.29, and subsection 4.11 of this State Plan;
 - (2) Regularly consults with the State Rehabilitation Council regarding the development, implementation, and revision of state policies and procedures of general applicability pertaining to the provision of vocational rehabilitation services;
 - (3) Includes in the State Plan and in any revision to the State Plan, a summary of input provided by the State Rehabilitation Council, including recommendations from the annual report of the Council described in Section 105(c)(5) of the Act and 34 CFR 361.17(h)(5), the review and analysis of consumer satisfaction described in Section 105(c)(4) of the Act and 34 CFR 361.17(h)(4), and other reports prepared by the Council, and the response of the designated state unit to the input and recommendations, including explanations for rejecting any input or recommendation; and
 - (4) Transmits to the Council:
 - (A) All plans, reports, and other information required under 34 CFR 361 to be submitted to the commissioner;
 - (B) All policies and information on all practices and procedures of general applicability provided to or used by rehabilitation personnel in carrying out this State Plan and its supplement; and
 - (C) Copies of due process hearing decisions issued under 34 CFR 361.57, which are transmitted in such a manner as to ensure that the identity of the participants in the hearings is kept confidential.

- (c) *If the designated state unit has a State Rehabilitation Council, Attachment 4.2(c) provides a summary of the input provided by the Council consistent with the provisions identified in subparagraph (b)(3) of this section; the response of the designated state unit to the input and recommendations; and, explanations for the rejection of any input or any recommendation.*

4.3 Consultations regarding the administration of the State Plan. (Section 101(a)(16)(B) of the Act; 34 CFR 361.21)

The designated state agency takes into account, in connection with matters of general policy arising in the administration of the plan and its supplement, the views of:

- (a) Individuals and groups of individuals who are recipients of vocational rehabilitation services, or, as appropriate, the individuals' representatives;
- (b) Personnel working in programs that provide vocational rehabilitation services to individuals with disabilities;
- (c) Providers of vocational rehabilitation services to individuals with disabilities;
- (d) The director of the Client Assistance Program; and
- (e) The State Rehabilitation Council, if the state has a Council.

4.4 Nonfederal share. (Sections 7(14) and 101(a)(3) of the Act; 34 CFR 80.24 and 361.60)

The nonfederal share of the cost of carrying out this State Plan is 21.3 percent and is provided through the financial participation by the state, or if the state elects, by the state and local agencies.

4.5 Local administration. (Sections 7(24) and 101(a)(2)(A) of the Act; 34 CFR 361.5(b)(47) and .15)

The State Plan provides for the administration of the plan by a local agency. Yes ___ No x

If "Yes", the designated state agency:

- (a) Ensures that each local agency is under the supervision of the designated state unit with the sole local agency, as that term is defined in Section 7(24) of the Act and 34 CFR 361.5(b)(47), responsible for the administration of the vocational rehabilitation program within the political subdivision that it serves; and
- (b) Develops methods that each local agency will use to administer the vocational rehabilitation program, in accordance with the State Plan.

4.6 Shared funding and administration of joint programs. (Section 101(a)(2)(A)(ii) of the Act; 34 CFR 361.27)

The State Plan provides for the state agency to share funding and administrative responsibility with another state agency or local public agency to carry out a joint program to provide services to individuals with disabilities. Yes___ No x _____

If "Yes", the designated state agency submits to the commissioner for approval a plan that describes its shared funding and administrative arrangement. The plan must include:

- (a) A description of the nature and scope of the joint program;
- (b) The services to be provided under the joint program;
- (c) The respective roles of each participating agency in the administration and provision of services; and
- (d) The share of the costs to be assumed by each agency.

4.7 Statewideness and waivers of statewideness. (Section 101(a)(4) of the Act; 34 CFR 361.25, .26, and .60(b)(3)(i) and (ii))

- (a) Services provided under the State Plan are available in all political subdivisions of the state.
- (b) The state unit may provide services in one or more political subdivisions of the state that increase services or expand the scope of services that are available statewide under this State Plan if the:
 - (1) Nonfederal share of the cost of these services is met from funds provided by a local public agency, including funds contributed to a local public agency by a private agency, organization, or individual;
 - (2) Services are likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments; and
 - (3) State, for purposes other than the establishment of a community rehabilitation program or the construction of a particular facility for community rehabilitation program purposes, requests in **Attachment 4.7(b)(3)** a waiver of the statewideness requirement in accordance with the following requirements:
 - (A) Identification of the types of services to be provided;
 - (B) Written assurance from the local public agency that it will make available to the state unit the nonfederal share of funds;
 - (C) Written assurance that state unit approval will be obtained for each proposed service before it is put into effect; and
 - (D) Written assurance that all other State Plan requirements, including a state's order of selection, will apply to all services approved under the waiver.
- (c) Contributions, consistent with the requirements of 34 CFR 361.60(b)(3)(ii), by private entities of earmarked funds for particular geographic areas within the state may be used as part of the nonfederal share without the state requesting a waiver of the statewideness requirement provided that the state notifies the commissioner that it cannot provide the full nonfederal share without using the earmarked funds.

4.8 **Cooperation, collaboration, and coordination.** (Sections 101(a)(11), (24)(B), and 625(b)(4) and (5) of the Act; 34 CFR 361.22, .23, .24, and .31, and 363.11(e))

(a) **Cooperative agreements with other components of statewide workforce investment system.**

The designated state agency or the designated state unit has cooperative agreements with other entities that are components of the statewide workforce investment system and replicates those agreements at the local level between individual offices of the designated state unit and local entities carrying out the One-Stop service delivery system or other activities through the statewide workforce investment system.

(b) **Cooperation and coordination with other agencies and entities.**

Attachment 4.8(b) (1)-(4) describes the designated state agency's:

- (1) Cooperation with and use of the services and facilities of the federal, state, and local agencies and programs, including programs carried out by the undersecretary for Rural Development of the United States Department of Agriculture and state use contracting programs, to the extent that those agencies and programs are not carrying out activities through the statewide workforce investment system;
- (2) Coordination, in accordance with the requirements of paragraph 4.8(c) of this section, with education officials to facilitate the transition of students with disabilities from school to the receipt of vocational rehabilitation services;
- (3) Establishment of cooperative agreements with private non-profit vocational rehabilitation service providers, in accordance with the requirements of paragraph 5.10(b) of the State Plan; and,
- (4) Efforts to identify and make arrangements, including entering into cooperative agreements, with other state agencies and entities with respect to the provision of supported employment and extended services for individuals with the most significant disabilities, in accordance with the requirements of subsection 6.5 of the supplement to this State Plan.

(c) **Coordination with education officials.**

- (1) Attachment 4.8(b)(2) describes the plans, policies, and procedures for coordination between the designated state agency and education officials responsible for the public education of students with disabilities that are designed to facilitate the transition of the students who are individuals with disabilities from the receipt of educational services in school to the receipt of vocational rehabilitation services under the responsibility of the designated state agency.
- (2) The State Plan description must:
 - (A) Provide for the development and approval of an individualized plan for employment in accordance with 34 CFR 361.45 as early as possible during the transition planning process but, at the latest, before each student determined to be eligible for vocational rehabilitation services leaves the school setting or, if the designated state unit is operating on an order of selection, before each eligible student able to be served under the order leaves the school setting; and

- (B) Include information on a formal interagency agreement with the state educational agency that, at a minimum, provides for:
- (i) Consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;
 - (ii) Transition planning by personnel of the designated state agency and the educational agency for students with disabilities that facilitates the development and completion of their individualized education programs under Section 614(d) of the Individuals with Disabilities Education Act;
 - (iii) Roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining state lead agencies and qualified personnel responsible for transition services; and
 - (iv) Procedures for outreach to students with disabilities as early as possible during the transition planning process and identification of students with disabilities who need transition services.
- (d) **Coordination with statewide independent living council and independent living centers.**
The designated state unit, the Statewide Independent Living Council established under Section 705 of the Act and 34 CFR 364, and the independent living centers described in Part C of Title VII of the Act and 34 CFR 366 have developed working relationships and coordinate their activities.
- (e) **Cooperative agreement with recipients of grants for services to American Indians.**
- (1) There is in the state a recipient(s) of a grant under Part C of Title I of the Act for the provision of vocational rehabilitation services for American Indians who are individuals with disabilities residing on or near federal and state reservations.
Yes___ No x
 - (2) If "Yes", the designated state agency has entered into a formal cooperative agreement that meets the following requirements with each grant recipient in the state that receives funds under Part C of Title I of the Act.
 - (A) Strategies for interagency referral and information sharing that will assist in eligibility determinations and the development of individualized plans for employment;
 - (B) Procedures for ensuring that American Indians who are individuals with disabilities and are living near a reservation or tribal service area are provided vocational rehabilitation services; and
 - (C) Provisions for sharing resources in cooperative studies and assessments, joint training activities, and other collaborative activities designed to improve the provision of services to American Indians who are individuals with disabilities.

4.9 **Methods of administration.** (Section 101(a)(6) of the Act; 34 CFR 361.12, .19 and, .51(a) and (b))

(a) **In general.**

The state agency employs methods of administration, including procedures to ensure accurate data collection and financial accountability, found by the commissioner to be necessary for the proper and efficient administration of the plan and for carrying out all the functions for which the state is responsible under the Plan and 34 CFR 361.

(b) **Employment of individuals with disabilities.**

The designated state agency and entities carrying out community rehabilitation programs in the state, who are in receipt of assistance under Part B of Title I of the Act and this State Plan, take affirmative action to employ and advance in employment qualified individuals with disabilities covered under and on the same terms and conditions as set forth in Section 503 of the Act.

(c) **Facilities.**

Any facility used in connection with the delivery of services assisted under this State Plan meets program accessibility requirements consistent with the provisions, as applicable, of the Architectural Barriers Act of 1968, Section 504 of the Act, the Americans with Disabilities Act of 1990, and the regulations implementing these laws.

4.10 Comprehensive system of personnel development. (Section 101(a)(7) of the Act; 34 CFR 361.18)

Attachment 4.10 describes the designated state agency's procedures and activities to establish and maintain a comprehensive system of personnel development designed to ensure an adequate supply of qualified state rehabilitation professional and paraprofessional personnel for the designated state unit. The description includes the following:

(a) **Data system on personnel and personnel development.**

Development and maintenance of a system for collecting and analyzing on an annual basis data on qualified personnel needs and personnel development with respect to:

(1) **Qualified personnel needs.**

- (A) The number of personnel who are employed by the state agency in the provision of vocational rehabilitation services in relation to the number of individuals served, broken down by personnel category;
- (B) The number of personnel currently needed by the state agency to provide vocational rehabilitation services, broken down by personnel category; and
- (C) Projections of the number of personnel, broken down by personnel category, who will be needed by the state agency to provide vocational rehabilitation services in the state in 5 years based on projections of the number of individuals to be served, including individuals with significant disabilities, the number of personnel expected to retire or leave the field, and other relevant factors.

(2) **Personnel development.**

- (A) A list of the institutions of higher education in the state that are preparing vocational rehabilitation professionals, by type of program;

- (B) The number of students enrolled at each of those institutions, broken down by type of program; and
 - (C) The number of students who graduated during the prior year from each of those institutions with certification or licensure, or with the credentials for certification or licensure, broken down by the personnel category for which they have received, or have the credentials to receive, certification or licensure.
- (b) **Plan for recruitment, preparation, and retention of qualified personnel.**

Development, updating on an annual basis, and implementation of a plan to address the current and projected needs for qualified personnel based on the data collection and analysis system described in paragraph (a) of this subsection and that provides for the coordination and facilitation of efforts between the designated state unit and institutions of higher education and professional associations to recruit, prepare, and retain personnel who are qualified in accordance with paragraph (c) of this subsection, including personnel from minority backgrounds and personnel who are individuals with disabilities.
- (c) **Personnel standards.**

Policies and procedures for the establishment and maintenance of personnel standards to ensure that designated state unit professional and paraprofessional personnel are appropriately and adequately prepared and trained, including:

 - (1) Standards that are consistent with any national or state-approved or -recognized certification, licensing, registration, or, in the absence of these requirements, other comparable requirements (including state personnel requirements) that apply to the profession or discipline in which such personnel are providing vocational rehabilitation services.
 - (2) To the extent that existing standards are not based on the highest requirements in the state applicable to a particular profession or discipline, the steps the state is currently taking and the steps the State Plans to take in accordance with the written plan to retrain or hire personnel within the designated state unit to meet standards that are based on the highest requirements in the state, including measures to notify designated state unit personnel, the institutions of higher education identified in subparagraph (a)(2), and other public agencies of these steps and the timelines for taking each step.
 - (3) The written plan required by subparagraph (c)(2) describes the following:
 - (A) Specific strategies for retraining, recruiting, and hiring personnel;
 - (B) The specific time period by which all state unit personnel will meet the standards required by subparagraph (c)(1);
 - (C) Procedures for evaluating the designated state unit's progress in hiring or retraining personnel to meet applicable personnel standards within the established time period; and
 - (D) The identification of initial minimum qualifications that the designated state unit will require of newly hired personnel when the state unit is unable to hire new personnel who meet the established personnel standards and the identification of a plan for training such individuals to meet the applicable standards within the time period established for all state unit personnel to meet the established personnel standards.
- (d) **Staff development.**

Policies, procedures, and activities to ensure that all personnel employed by the designated state unit receive appropriate and adequate training. The narrative describes the following:

- (1) A system of staff development for professionals and paraprofessionals within the designated state unit, particularly with respect to assessment, vocational counseling, job placement, and rehabilitation technology.
- (2) Procedures for the acquisition and dissemination to designated state unit professionals and paraprofessionals significant knowledge from research and other sources.
- (e) **Personnel to address individual communication needs.**
Availability of personnel within the designated state unit or obtaining the services of other individuals who are able to communicate in the native language of applicants or eligible individuals who have limited English speaking ability or in appropriate modes of communication with applicants or eligible individuals.
- (f) **Coordination of personnel development under the Individuals with Disabilities Education Act.**
Procedures and activities to coordinate the designated state unit's comprehensive system of personnel development with personnel development under the Individuals with Disabilities Education Act.

4.11. Statewide assessment; annual estimates; annual state goals and priorities; strategies; and progress reports. (Sections 101(a)(15), 105(c)(2) and 625(b)(2) of the Act; 34 CFR 361.17(h)(2), .29, and 363.11(b))

- (a) **Comprehensive statewide assessment.**
 - (1) **Attachment 4.11(a)** documents the results of a comprehensive, statewide assessment, jointly conducted every 3 years by the designated state unit and the State Rehabilitation Council (if the state has such a Council). The assessment describes:
 - (A) The rehabilitation needs of individuals with disabilities residing within the state, particularly the vocational rehabilitation services needs of:
 - (i) Individuals with the most significant disabilities, including their need for supported employment services;
 - (ii) Individuals with disabilities who are minorities and individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program carried out under this State Plan; and
 - (iii) Individuals with disabilities served through other components of the statewide workforce investment system.
 - (B) The need to establish, develop, or improve community rehabilitation programs within the state.
 - (2) For any year in which the state updates the assessments, the designated state unit submits to the commissioner a report containing information regarding updates to the assessments.
- (b) **Annual estimates.**
Attachment 4.11(b) identifies on an annual basis state estimates of the:

- (1) Number of individuals in the state who are eligible for services under the Plan;
 - (2) Number of eligible individuals who will receive services provided with funds provided under Part B of Title I of the Act and under Part B of Title VI of the Act, including, if the designated state agency uses an order of selection in accordance with subparagraph 5.3(b)(2) of this State Plan, estimates of the number of individuals to be served under each priority category within the order; and
 - (3) Costs of the services described in subparagraph (b)(1), including, if the designated state agency uses an order of selection, the service costs for each priority category within the order.
- (c) **Goals and priorities.**
- (1) **Attachment 4.11(c)(1)** identifies the goals and priorities of the state that are jointly developed or revised, as applicable, with and agreed to by the State Rehabilitation Council, if the agency has a Council, in carrying out the vocational rehabilitation and supported employment programs.
 - (2) The designated state agency submits to the commissioner a report containing information regarding any revisions in the goals and priorities for any year the state revises the goals and priorities.
 - (3) **Order of selection.**
If the state agency implements an order of selection, consistent with subparagraph 5.3(b)(2) of the State Plan, **Attachment 4.11(c)(3):**
 - (A) Shows the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services;
 - (B) Provides a justification for the order; and
 - (C) Identifies the service and outcome goals, and the time within which these goals may be achieved for individuals in each priority category within the order.
 - (4) **Goals and plans for distribution of Title VI, Part B funds.**
Attachment 4.11(c)(4) specifies, consistent with subsection 6.4 of the State Plan supplement, the state's goals and priorities with respect to the distribution of funds received under Section 622 of the Act for the provision of supported employment services.
- (d) **Strategies.**
- (1) **Attachment 4.11(d)** describes the strategies, including:
 - (A) The methods to be used to expand and improve services to individuals with disabilities, including how a broad range of assistive technology services and assistive technology devices will be provided to those individuals at each stage of the rehabilitation process and how those services and devices will be provided to individuals with disabilities on a statewide basis;
 - (B) Outreach procedures to identify and serve individuals with disabilities who are minorities, including those with the most significant disabilities in accordance with subsection 6.6 of the State Plan supplement, and individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program;

- (C) As applicable, the plan of the state for establishing, developing, or improving community rehabilitation programs;
 - (D) Strategies to improve the performance of the state with respect to the evaluation standards and performance indicators established pursuant to Section 106 of the Act; and
 - (E) Strategies for assisting other components of the statewide workforce investment system in assisting individuals with disabilities.
- (2) **Attachment 4.11 (d)** describes how the designated state agency uses these strategies to:
- (A) Address the needs identified in the assessment conducted under paragraph 4.11(a) and achieve the goals and priorities identified in the State Plan attachments under paragraph 4.11(c);
 - (B) Support the innovation and expansion activities identified in subparagraph 4.12(a)(1) and (2) of the Plan; and
 - (C) Overcome identified barriers relating to equitable access to and participation of individuals with disabilities in the State Vocational Rehabilitation Services Program and State Supported Employment Services Program.
- (e) **Evaluation and reports of progress.**
- (1) The designated state unit and the State Rehabilitation Council, if the state unit has a Council, jointly submits to the commissioner an annual report on the results of an evaluation of the effectiveness of the vocational rehabilitation program and the progress made in improving the effectiveness of the program from the previous year.
 - (2) **Attachment 4.11(e)(2):**
 - (A) Provides an evaluation of the extent to which the goals identified in **Attachment 4.11(c)(1)** and, if applicable, **Attachment 4.11(c)(3)** were achieved;
 - (B) Identifies the strategies that contributed to the achievement of the goals and priorities;
 - (C) Describes the factors that impeded their achievement, to the extent they were not achieved;
 - (D) Assesses the performance of the state on the standards and indicators established pursuant to Section 106 of the Act; and
 - (E) Provides a report consistent with paragraph 4.12(c) of the plan on how the funds reserved for innovation and expansion activities were utilized in the preceding year.
- 4.12 Innovation and expansion.** (Section 101(a)(18) of the Act; 34 CFR 361.35)
- (a) The designated state agency reserves and uses a portion of the funds allotted to the state under Section 110 of the Act for the:
 - (1) Development and implementation of innovative approaches to expand and improve the provision of vocational rehabilitation services to individuals with disabilities under this State Plan, particularly individuals with the most significant disabilities, consistent with the findings of the statewide assessment identified in **Attachment 4.11(a)** and goals and priorities of the state identified in **Attachments 4.11(c)(1)** and, if applicable, **Attachment 4.11(c)(3)**; and

(2) Support of the funding for the State Rehabilitation Council, if the state has such a Council, consistent with the resource plan prepared under Section 105(d)(1) of the Act and 34 CFR 361.17(i), and the funding of the Statewide Independent Living Council, consistent with the resource plan prepared under Section 705(e)(1) of the Act and 34 CFR 364.21(i).

(b) Attachment 4.11 (d) describes how the reserved funds identified in subparagraph 4.12(a)(1) and (2) will be utilized.

(c) Attachment 4.11(e)(2) describes how the reserved funds were utilized in the preceding year.

4.13 Reports. (Section 101(a)(10) of the Act; 34 CFR 361.40)

(a) The designated state unit submits reports in the form and level of detail and at the time required by the commissioner regarding applicants for and eligible individuals receiving services under the State Plan.

(b) Information submitted in the reports provides a complete count, unless sampling techniques are used, of the applicants and eligible individuals in a manner that permits the greatest possible cross-classification of data and protects the confidentiality of the identity of each individual.

SECTION 5: ADMINISTRATION OF THE PROVISION OF VOCATIONAL REHABILITATION SERVICES**5.1 Information and referral services.** (Sections 101(a)(5)(D) and (20) of the Act; 34 CFR 361.37)

The designated state agency has implemented an information and referral system that is adequate to ensure that individuals with disabilities, including individuals who do not meet the agency's order of selection criteria for receiving vocational rehabilitation services, if the agency is operating on an order of selection, are provided accurate vocational rehabilitation information and guidance, including counseling and referral for job placement, using appropriate modes of communication, to assist such individuals in preparing for, securing, retaining, or regaining employment, and are referred to other appropriate federal and state programs, including other components of the statewide workforce investment system in the state.

5.2 Residency. (Section 101(a)(12) of the Act; 34 CFR 361.42(c)(1))

The designated state unit imposes no duration of residence requirement as part of determining an individual's eligibility for vocational rehabilitation services or that excludes from services under the plan any individual who is present in the state..

5.3 Ability to serve all eligible individuals; order of selection for services. (Sections 12(d) and 101(a)(5) of the Act; 34 CFR 361.36)

- (a) The designated state unit is able to provide the full range of services listed in Section 103(a) of the Act and 34 CFR 361.48, as appropriate, to all eligible individuals with disabilities in the state who apply for services.

Yes No x

- (b) If "No":

- (1) Individuals with the most significant disabilities, in accordance with criteria established by the state, are selected first for vocational rehabilitation services before other individuals with disabilities.
- (2) **Attachment 4.11(c)(3):**
 - (A) Shows the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services;
 - (B) Provides a justification for the order of selection; and
 - (C) Identifies the state's service and outcome goals and the time within which these goals may be achieved for individuals in each priority category within the order.
- (3) Eligible individuals who do not meet the order of selection criteria have access to the services provided through the designated state unit's information and referral system established under Section 101(a)(20) of the Act, 34 CFR 361.37, and subsection 5.1 of this State Plan.

5.4 Availability of comparable services and benefits. (Sections 101(a)(8) and 103(a) of the Act; 34 CFR 361.53)

- (a) Prior to providing any vocational rehabilitation services, except those services identified in paragraph (b), to an eligible individual, or to members of the individual's family, the state unit determines whether comparable services and benefits exist under any other program and whether those services and benefits are available to the individual.
- (b) The following services are exempt from a determination of the availability of comparable services and benefits:
- (1) Assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
 - (2) Counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of Section 102(d) of the Act;
 - (3) Referral and other services to secure needed services from other agencies, including other components of the statewide workforce investment system, through agreements developed under Section 101(a)(11) of the Act, if such services are not available under this State Plan;
 - (4) Job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;
 - (5) Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices; and

- (6) Post-employment services consisting of the services listed under subparagraphs (1) through (5) of this paragraph.
- (c) The requirements of paragraph (a) of this section do not apply if the determination of the availability of comparable services and benefits under any other program would interrupt or delay:
 - (1) Progress of the individual toward achieving the employment outcome identified in the individualized plan for employment;
 - (2) An immediate job placement; or
 - (3) Provision of vocational rehabilitation services to any individual who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional.
- (d) The governor in consultation with the designated state vocational rehabilitation agency and other appropriate agencies ensures that an interagency agreement or other mechanism for interagency coordination that meets the requirements of Section 101(a)(8)(B)(i)-(iv) of the Act takes effect between the designated state unit and any appropriate public entity, including the state Medicaid program, a public institution of higher education, and a component of the statewide workforce investment system to ensure the provision of the vocational rehabilitation services identified in Section 103(a) of the Act and 34 CFR 361.48, other than the services identified in paragraph (b) of this section, that are included in the individualized plan for employment of an eligible individual, including the provision of those vocational rehabilitation services during the pendency of any dispute that may arise in the implementation of the interagency agreement or other mechanism for interagency coordination.

5.5 Individualized plan for employment. (Section 101(a)(9) of the Act; 34 CFR 361.45 and .46)

- (a) An individualized plan for employment meeting the requirements of Section 102(b) of the Act and 34 CFR 361.45 and .46 is developed and implemented in a timely manner for each individual determined to be eligible for vocational rehabilitation services, except if the state has implemented an order of selection, an individualized plan for employment is developed and implemented for each individual to whom the designated state unit is able to provide vocational rehabilitation services.
- (b) Services to an eligible individual are provided in accordance with the provisions of the individualized plan for employment.

5.6 Opportunity to make informed choices regarding the selection of services and providers. (Sections 101(a)(19) and 102(d) of the Act; 34 CFR 361.52)

Applicants and eligible individuals, or, as appropriate, their representatives, are provided information and support services to assist in exercising informed choice throughout the rehabilitation process, consistent with the provisions of Section 102(d) of the Act and 34 CFR 361.52.

5.7 Services to American Indians. (Section 101(a)(13) of the Act; 34 CFR 361.30)

The designated state unit provides vocational rehabilitation services to American Indians who are individuals with disabilities residing in the state to the same extent as the designated state agency provides such services to other significant populations of individuals with disabilities residing in the state.

5.8 Annual review of individuals in extended employment or other employment under special certificate provisions of the fair labor standards act of 1938. (Section 101(a)(14) of the Act; 34 CFR 361.55)

- (a) The designated state unit conducts an annual review and reevaluation of the status of each individual with a disability served under this State Plan:
 - (1) Who has achieved an employment outcome in which the individual is compensated in accordance with Section 14(c) of the Fair Labor Standards Act (29 U.S.C. 214(c)); or
 - (2) Whose record of services is closed while the individual is in extended employment on the basis that the individual is unable to achieve an employment outcome in an integrated setting or that the individual made an informed choice to remain in extended employment.
- (b) The designated state unit carries out the annual review and reevaluation for 2 years after the individual's record of services is closed (and thereafter if requested by the individual or, if appropriate, the individual's representative), to determine the interests, priorities, and needs of the individual with respect to competitive employment or training for competitive employment.
- (c) The designated state unit makes maximum efforts, including the identification and provision of vocational rehabilitation services, reasonable accommodations, and other necessary support services, to assist the individuals described in paragraph (a) in engaging in competitive employment.
- (d) The individual with a disability, or, if appropriate, the individual's representative, has input into the review and reevaluation, and through signed acknowledgement attests that the review and reevaluation have been conducted.

5.9 Use of Title I funds for construction of facilities. (Sections 101(a)(17) and 103(b)(2)(A) of the Act; 34 CFR 361.49(a)(1), .61 and .62(b))

If the state elects to construct, under special circumstances, facilities for community rehabilitation programs, the following requirements are met:

- (a) The federal share of the cost of construction for facilities for a fiscal year does not exceed an amount equal to 10 percent of the state's allotment under Section 110 of the Act for that fiscal year.
- (b) The provisions of Section 306 of the Act that were in effect prior to the enactment of the Rehabilitation Act Amendments of 1998 apply to such construction.

- (c) There is compliance with the requirements in 34 CFR 361.62(b) that ensure the use of the construction authority will not reduce the efforts of the designated state agency in providing other vocational rehabilitation services, other than the establishment of facilities for community rehabilitation programs.

5.10 Contracts and cooperative agreements. (Section 101(a)(24) of the Act; 34 CFR 361.31 and .32)

(a) Contracts with for-profit organizations.

The designated state agency has the authority to enter into contracts with for-profit organizations for the purpose of providing, as vocational rehabilitation services, on-the-job training and related programs for individuals with disabilities under Part A of Title VI of the Act, upon the determination by the designated state agency that for-profit organizations are better qualified to provide vocational rehabilitation services than non-profit agencies and organizations.

(b) Cooperative agreements with private non-profit organizations.

Attachment 4.8(b)(3) describes the manner in which the designated state agency establishes cooperative agreements with private non-profit vocational rehabilitation service providers.

STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM**SECTION 6: PROGRAM ADMINISTRATION**

- 6.1 **Designated state agency.** (Section 625(b)(1) of the Act; 34 CFR 363.11(a))
The designated state agency for vocational rehabilitation services identified in paragraph 1.2 of the Title I State Plan is the state agency designated to administer the State Supported Employment Services Program authorized under Title VI, Part B of the Act.
- 6.2 **Statewide assessment of supported employment services needs.** (Section 625(b)(2) of the Act; 34 CFR 363.11(b))
Attachment 4.11(a) describes the results of the comprehensive, statewide needs assessment conducted under Section 101(a)(15)(a)(1) of the Act and subparagraph 4.11(a)(1) of the Title I State Plan with respect to the rehabilitation needs of individuals with most significant disabilities and their need for supported employment services, including needs related to coordination.
- 6.3 **Quality, scope, and extent of supported employment services.** (Section 625(b)(3) of the Act; 34 CFR 363.11(c) and .50(b)(2))
Attachment 6.3 describes the quality, scope, and extent of supported employment services to be provided to individuals with the most significant disabilities who are eligible to receive supported employment services. The description also addresses the timing of the transition to extended services to be provided by relevant state agencies, private non-profit organizations, or other sources following the cessation of supported employment service provided by the designated state agency.
- 6.4 **Goals and plans for distribution of Title VI, Part B funds.** (Section 625(b)(3) of the Act; 34 CFR 363.11(d) and .20)
Attachment 4.11(c)(4) identifies the state's goals and plans with respect to the distribution of funds received under Section 622 of the Act.
- 6.5 **Evidence of collaboration with respect to supported employment services and extended services.** (Sections 625(b)(4) and (5) of the Act; 34 CFR 363.11(e))
Attachment 4.8(b)(4) describes the efforts of the designated state agency to identify and make arrangements, including entering into cooperative agreements, with other state agencies and other appropriate entities to assist in the provision of supported employment services and other public or nonprofit agencies or organizations within the state, employers, natural supports, and other entities with respect to the provision of extended services.
- 6.6 **Minority outreach.** (34 CFR 363.11(f))

Attachment 4.11(d) includes a description of the designated state agency's outreach procedures for identifying and serving individuals with the most significant disabilities who are minorities.

6.7 **Reports.** (Sections 625(b)(8) and 626 of the Act; 34 CFR 363.11(h) and .52)

The designated state agency submits reports in such form and in accordance with such procedures as the commissioner may require and collects the information required by Section 101(a)(10) of the Act separately for individuals receiving supported employment services under Part B of Title VI and individuals receiving supported employment services under Title I of the Act.

SECTION 7: FINANCIAL ADMINISTRATION

- 7.1 **Five percent limitation on administrative costs.** (Section 625(b)(7) of the Act; 34 CFR 363.11(g)(8))
The designated state agency expends no more than five percent of the state's allotment under Section 622 of the Act for administrative costs in carrying out the State Supported Employment Services Program.
- 7.2 **Use of funds in providing services.** (Sections 623 and 625(b)(6)(A) and (D) of the Act; 34 CFR 363.6(c)(2)(iv), .11(g)(1) and (4))
- (a) Funds made available under Title VI, Part B of the Act are used by the designated state agency only to provide supported employment services to individuals with the most significant disabilities who are eligible to receive such services.
 - (b) Funds provided under Title VI, Part B are used only to supplement, and not supplant, the funds provided under Title I, Part B, of the Act, in providing supported employment services specified in the individualized plan for employment.
 - (c) Funds provided under Part B of Title VI or Title I of the Act are not used to provide extended services to individuals who are eligible under Part B of Title VI or Title I of the Act.

SECTION 8: PROVISION OF SUPPORTED EMPLOYMENT SERVICES

- 8.1 Scope of supported employment services.** (Sections 7(36) and 625(b)(6)(F) and (G) of the Act; 34 CFR 361.5(b)(54), 363.11(g)(6) and (7))
- (a) Supported employment services are those services as defined in Section 7(36) of the Act and 34 CFR 361.5(b)(54).
 - (b) To the extent job skills training is provided, the training is provided on-site.
 - (c) Supported employment services include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities.
- 8.2 Comprehensive assessments of individuals with significant disabilities.** (Sections 7(2)(B) and 625(b)(6)(B); 34 CFR 361.5(b)(6)(ii) and 363.11(g)(2))
- The comprehensive assessment of individuals with significant disabilities conducted under Section 102(b)(1) of the Act and funded under Title I of the Act includes consideration of supported employment as an appropriate employment outcome.
- 8.3 Individualized plan for employment.** (Sections 102(b)(3)(F) and 625(b)(6)(C) and (E) of the Act; 34 CFR 361.46(b) and 363.11(g)(3) and (5))
- (a) An individualized plan for employment that meets the requirements of Section 102(b) of the Act and 34 CFR 361.45 and .46 is developed and updated using funds under Title I.
 - (b) The individualized plan for employment:
 - (1) Specifies the supported employment services to be provided;
 - (2) Describes the expected extended services needed; and
 - (3) Identifies the source of extended services, including natural supports, or, to the extent that it is not possible to identify the source of extended services at the time the individualized plan for employment plan is developed, a statement describing the basis for concluding that there is a reasonable expectation that sources will become available.
 - (c) Services provided under an individualized plan for employment are coordinated with services provided under other individualized plans established under other federal or state programs.